THE DAILY CONSTITUTION.

VOL. XI. ATLANTA, GA., WEDNESDAY MORNING, MARCH 26, 1879. NO. 252.

GETTING USED TO IT.

POLITICAL LENT OF THE STALWARTS.

The Democrats Decide That Bell, of New Hampshire, is not Entitled to His Seat—The Other Side Must now Eat a Little Crow while on the Outside Railing.

WASHINGTON, March 25.—The senate committee on privileges and elections, by a strict party vote to-day, adopted a resolution declaring that Charles H. Bell was not entitled to a seat in the senate under the present appointment of the governor of New Hampshire, there being, in the judgment of a majority of the committee, no such vacancy as may constitutionally be filled by the governor. Messrs. Saulsbury and Bailey will prepare the report for presentation to the senate on behalf of the majority, and Messrs. Hoar and Cameron, of Wisconsin, are to present in writing the views of the minority. The majority rest on the ground that the gubernatorial appointment is not valid, except when the vacancy has been created by death or otherwise after the actual election of a senator by the legislature. The minority contend that an "original vacancy" can be filled in the same manner as any other, and allege that there are nine precedents sustaining their view and only one in the history of the case against it.

Colonel Burch, the new secretary of the treasury, entered upon his duties to-day. Secretary Sherman turned over all the money and securities exactly balancing his accounts at the treasury yesterday afternoon, and the latter also received from him, immediately after Secretary Burch's election, his final report embracing a detailed statement of the receipts and expenditures from July 1st, 1878, to date, and a full inventory of the property of all the institutions under his charge.

Senator Randall expects to be able to announce the membership of all the standing committees of the house on Tuesday or Wednesday of next week. The fact that there are upwards of one hundred and forty new members in the present house necessitates a great deal of labor on the part of the speaker in completing the list.

The answer of the secretary of the treasury to the resolution calling for a statement of expenses incurred by United States marshals in the employment of special deputies and for contingencies at the elections of members of congress held in October and November last shows that the total expenditures for these purposes, except in the eastern district of Pennsylvania and a portion of Maryland, from which no returns have been received, was $52,249. Of this sum $5,530 was expended in the southern district of New York, and $6,945 and $6,172 in the northern and eastern districts of that state. The total for Massachusetts is $2,950; for New Jersey, $1,850; for Illinois, $2,120, and for Louisiana, $4,155. The aggregate for the southern states is $4,359.

The senate finance committee to-day held its first meeting for the present session, but transacted no business beyond referring the bills on its docket to sub-committees.

Immediately after the adjournment of the senate to-day the members of the senate and house democratic caucus committees met in joint session to determine what action shall be taken with reference to the several sections of the revised statutes which are obnoxious to the democratic party.

The president sent the following nominations to the senate to-day to be members of the national board of health: Doctors S. W. Jones (New Orleans), Henry Bowditch (Boston, Mass.), Stephen Smith (New York), Henry A. Johnson (Chicago), James T. Calhoun (Charlottesville, Va.), T. S. Verdi (Washington) and Robert W. Mitchell (Memphis), and Louis A. Barnes, register land office, Gainesville, Fla.

The senate select committee to inquire into the alleged frauds in the late election, Mr. Wallace, chairman, will hold a meeting to-morrow to examine witnesses, including ex-Secretary of Senate Gorham, on the subject of the assessment for political purposes. One of the points embraced in the resolution under which the so-called Teller committee, now reorganized with a democratic majority, was appointed.

In the debate on the election of secretary of the senate yesterday, Mr. Blaine, in reply to a portion of Mr. Hill's remarks, read from the decision of the speaker of the house at the time the Potter resolution was appointed to show that the investigation involved the occupation of the presidential chair.

Mr. Hill inquired if any law had been passed subsequent to the electoral law which gave parties the right to test the question of the presidency.

Mr. Blaine replied that the entire Potter resolution did not mention it.

Mr. Hill said the Potter resolution was simply to obtain testimony in relation to the subject. Would the senator say that the appointment of a committee for this purpose was a revolutionary proceeding?

Mr. Blaine—The speaker stated that it involved the rightful occupancy of the presidential chair. Did you want the evidence to be obtained by the Potter committee to be used by the supreme court?

Mr. Hill—I said no such thing.

Mr. Blaine—How does the senator connect the Potter committee proceedings with the electoral bill? I maintain that being entirely outside of the electoral commission, the resolution was grossly and flagrantly revolutionary from beginning to end.

Mr. Hill—I have asked the question twice. Instead of answering mine, he replies and asks me a question. My question is first in order. My question is: You charge revolutionary purposes on the democratic party and say it was manifested in the appointment of the Potter committee. I ask, do you hold that the appointment of a committee to make investigation is a revolutionary movement?

Mr. Blaine—The reason for the appointment of the Potter committee, as construed by the speaker of the house, was revolutionary.

Mr. Hill—Will you say that the appointment of a committee of investigation by the house is revolutionary?

Mr. Blaine—The committee, as constituted by the speaker, was revolutionary.

Mr. Hill—Is the appointment of a committee revolutionary?

Mr. Blaine—Don't be childish.

Mr. Hill—Was your resolution for the appointment of the Teller committee revolutionary?

Mr. Blaine—No; we wanted to find out how persons had been deprived of their rights. I assume that the object of the electoral bill was that if any wrong existed there might be a judicial remedy. That contemplated only judicial action before a court. The democratic party and the friends of Tilden never wanted a remedy. It organized a committee of a side which had no connection with it. The democrats had startling witnesses and had been coaching them in order that the country might be treated to their revelations, but it did not pan out well. It rather missed fire, and notwithstanding the decision of the speaker as to the character of the resolution, which under his construction meant revolutionary, the democrats resolved subsequently that it did not mean any such thing.

THE SENATE.

A large number of bills and memorials were presented, among them the bill by Mr. Booth authorizing the secretary of the interior to declare railroad grants forfeited in certain cases.

Mr. Davis (West Virginia) introduced a joint resolution for a special committee to consider and report as to the best means of promoting agriculture.

The senate took up the resolution of Mr. Hoar declaring as unconstitutional and revolutionary the democratic programme of legislation announced by Mr. Beck at the close of the late congress. Mr. Hoar spoke at some length on this subject, describing in emphatic terms the course of legislation thus prefigured, and saying that the dominant power sought to effect by a simple process what could be done only by a change of the constitution of the United States, altering the present relations of three departments of the government.

THE HOUSE.

Mr. Harris (Virginia) asked leave to offer a resolution directing the committee on judiciary to inquire into the facts connected with the action of Alexander Rives, judge of the United States district court for the western district of Virginia in interfering with the action of state judges holding state courts in accordance with the laws of Virginia.

Mr. Conger objected.

Mr. Cox (New York) asked leave to offer a resolution for the appointment of select committees on the census, declaration of the law relating to the presidential elections, civil service reform, and the yellow fever epidemic.

Mr. Conger objected, and stated that he would object to the introduction of anything unless it had reference to the appropriation bills.

The house then at 12:40 adjourned.

Previous to the casting of his vote, Mr. Stephens (Georgia) inquired if the speaker was ready to announce the committees.

The speaker replied that he was not, and Mr. Stephens voted in the affirmative.

THE WORK OF THE SESSION.

The Democratic Joint Caucus Agrees Upon a Line of Battle.

WASHINGTON, March 25.—The two committees appointed last week by the democratic caucuses of the house and senate held another joint meeting this afternoon and reached a final agreement concerning both the general nature and the precise form of their recommendations for political legislation during the present session of congress. They will recommend that the repeal of the law authorizing the presence of troops at the polls be effected by incorporating in it the army appropriations bill—a copy of the clause agreed to by the house of representatives last session; that the juror-test oath be likewise simply abolished by the insertion of a repealing clause in the legislative, executive and judicial appropriations bill; and the provisions then incorporated by the house in the same bill amendatory of the law in regard to the mode of impanelling jurors will be substantially readopted by the dominant party this session. In addition to the two last-named clauses, there will be recommended the incorporating into the legislative, executive and judicial appropriation bills, immediately following the appropriation for expenses, a series of clauses, the effect of which, if enacted, will be to repeal the existing authority for the appointment of chief supervisors and deputy marshals for elections, and to restrict the functions and power of the two supervisors of different politics, whose appointment in the present manner continues to be authorized, to those of the witness and challengers only. It will also be provided that these supervisors must be residents and duly qualified voters in the precincts where they are to serve. The jurisdiction of the federal courts to punish such frauds in the elections for representatives to congress as may be reported by these supervisors or other citizens is not to be interfered with, nor will the caucus be allowed to disturb in any manner the existing law known as the enforcement act, relative to suffrage or other civil rights. The recommendations above outlined will be reported to a joint caucus of the democratic members of the two houses to-morrow evening.

A separate caucus of democratic senators will probably be held to-morrow afternoon after an early adjournment of the senate. Senators Lamar and Voorhees, who were absent on Saturday, participated in to-day's joint meeting of the caucus committees. Senator Saulsbury presided, Judge Thurman being detained at his residence by illness.

SOUTH SEA BUBBLES.

The News from the Equatorial Region.

PANAMA, March 17.—The German ironclad Prinz Adelbert, with his royal highness Prince Albert Guillaume Henri, second son of the crown prince of Germany on board, arrived in port on the 14th inst. from Callao. The prince has been the recipient of attentions from the Panama railroad company and from members of the "X club."

The Dearlo official of Bogota publishes a protocol of the conference celebrated January 7th, 1879, between the ministers of foreign affairs, of Columbia, and the United States minister, a resident in Bogota, with a view to put an end in a friendly manner to the differences which arise between the two countries, on account of recent legislation in Colombia in a matter of the registers of the American ships arriving at the Colombian ports.

The situation in Bolivia is unchanged. Chili holds the Bolivian ports and will not give them up without fighting. The last news was to the effect that three Peruvian iron-clads, the Huascar, Manca Capac and Independence, had been ordered to proceed to Iquique, one of the most southerly ports of Peru, immediately. Three thousand soldiers were under orders to proceed there also as soon as transportation could be obtained. Events are hastening to an opening of hostilities, the result of which no one can predict. That Chili will have both Bolivia and Peru to fight appears to be a foregone conclusion. Peru has old humiliations to avenge, and this is her opportunity. Should Chili's old enemy, senor Friaz, precipitate the Argentine Republic into the contest things would go hard with the model republic of the south. Antofagosta was taken possession of by a Chilian force numbering 300. They encountered no opposition. Twelve military engineers have been sent by the Chilian government to Caracoles for the purpose of studying the most convenient places to be fortified. In the district of Tero there was a slight skirmish between some Bolivian and Chilian laborers. It finally terminated in the defeat of the Chilians.

HAVANA, March 25.—An official telegram from Madrid announces the following appointments for Cuba: General Bianco, governor-general; General Calleras, vice governor-general; Rodrignes Arias, civil governor of Havana; Brigadier-General Gamir, governor of Santa Clara..

A Turf Challenge.

Special dispatch to The Constitution.

CINCINNATI, March 26.—The owners of the famous trotter Proteire have sent a challenge to the Spirit of the Times expressing their willingness to trot Proteire against Bonesetter for either $5,000 or $10,000 a side, mile heats, best three in five. If the challenge is accepted, the race will probably take place over the Chester park course about the middle of July.

A New Church.

BALTIMORE, March 25.—St. Vincent De-Paul's church, on Front street, near Fayette, was consecrated to-day with the customary procession and religious solemnity of the Catholic church. Archbishop Gibbons was chief celebrant, and Bishop Keane, of Richmond, Virginia, preached the dedicatory sermon.

A Russian Assassin.

Special dispatch to The Constitution.

ST. PETERSBURG, March 26—Yesterday afternoon, as General Vondrentelen, chief of the gendarmerie, was driving along the Neva Quay, a man on horseback fired twice into his carriage window. The general was not hurt. The assassin, leaving his horse, escaped in a sleigh.

Paralyzed.

CINCINNATI, March 25.—A dispatch from Detroit says Robert McClelland, ex-governor of Michigan, and secretary of the interior during the administration of President Pierce, was stricken with paralysis last evening. His condition is critical.

No Change Contemplated.

NEW YORK, March 25.—It is authoritatively stated that no change is contemplated in the ownership or policy of the World newspaper.

Senor Zamacona.

Special dispatch to The Constitution.

CINCINNATI, March 26.—Senor Zamacona, the Mexican minister, is suffering from an attack of pneumonia in this city. His condition is not serious.

Resigned.

Special dispatch to The Constitution.

ANNAPOLIS, March 26.—Cadet Midshipman W. F. Babcock, of Louisiana, has resigned.

FOOD FOR REFLECTION.

WE do not, in our minds, have a secret contempt for the work of the great man we do not know intimately, but we have for the work of the one we do know.

I KNOW not which of the twain lifts man the higher, genius or gentleness; genius lifts him above others, gentleness out of himself.

HE that hath really felt the bitterness of sin will fear to commit it; and he that hath felt sweetness of mercy will fear to offend it.

HE who is false to present duty breaks a thread in the loom, and will see the defect when the weaving of a lifetime is unrolled.

THERE is a peace more destructive of the manhood of living man than war, is destructive of his material body. Chains are worse than bayonets.

SHOT WITH BULLETS.

THE BITTERNESS OF VINEGAR HILL.

A Negro Called Out by Masked Men in Walton County and Fairly Riddled With Bullets—The Alarm in the Neighborhood—Crimes and Casualties, Etc.

Special dispatch to The Constitution.

SOCIAL CIRCLE, Walton county, March 25. The people of Vinegar Hill district, in this county, were shocked yesterday morning with the report of a horrible murder, committed by a party of men in disguise, on the person of a colored man by the name of Berry Sorrels, on the plantation of the widow Smith. The particulars of the affair, so far as I could learn from one of the sons of the murdered negro, were as follows: Sunday night, between twelve and one o'clock, four men came to the house where Berry Sorrels lived, and entered it, and seized him and carried him out in the yard and shot him several times with pistols, and then got on their horses and galloped off. The negro ran some twenty or thirty yards after he was shot, and fell dead.

There were six persons in the house when the murderers entered, consisting of Berry Sorrels, the murdered negro, who is some fifty-five years old, and his wife, his daughter, his son and another negro and his wife. All were in bed asleep when the party came and called the old man out. His son awoke and saw the situation his father was in. He slipped out and ran to the house of the widow Smith to give the alarm, and get the assistance of her son, who lives with her, but before he got there he heard the report of the pistols, and before Smith got up the murderers past him in full tilt for parts unknown.

At this writing there are some persons, living not far off, who are suspected, and it is thought that they can be recognized by the family. Their names are withheld at present. There will be a coroner's inquest over the body, and light will be thrown on the tragedy.

It is to be hoped that the perpetrators may be found out and the party brought to justice, for lynch law is getting to be of too frequent occurrence. If the negro is or was of bad character, or had violated the laws of the country, the laws of the country could have punished its criminals. This is the second case of lynch law in this county since the war. We have had but very few murder cases, and but one man has been hung in this county in thirty-five or forty years, and that was a negro boy who was hung for the crime of rape. The voice of the people of this county says let justice be done. E. T. M.

UNION CITY, TENN, March 25.—Late Saturday morning, a negro man working with Esquire John Fields, eight miles northeast of this place, committed a rape on Mr. Fields's daughter, about ten years old. No one was at home to prevent it but the little girl and her other sister. Hence the negro accomplished his hellish intentions, and after making an assault on Esquire Fields's other daughter with the same wicked intent, and failing, for some cause, made his escape to the woods. Sunday morning large crowds of friends of the injured girl made hot pursuit and finally captured the black devil, and after shooting him three or four times, kept him until last night, when he was taken to the woods. A rope was placed around his neck, and they swung him off into eternity and to hell to pay the penalty of his fiendish, diabolical act. Esquire Fields is one of the best citizens and a magistrate in this county. The people, therefore, regret that such an outrage should have been perpetrated in his family. The summary justice meted out to the devilish wretch shows their appreciation of such acts.

CINCINNATI, March 25.—The only feature developed in the Baldwin murder yesterday was in the testimony of Rittie Bennett, who stated that one of the inmates of her house had received visits from Henry Baldwin, but she was positive he was not the murdered man, because her visitor was about 50 years old.

NEW YORK, March 25.—A fire this morning in Marble building, 178 and 80 Pearl street, entirely destroyed the stock of Stratton & Storms, manufacturers of tobacco and cigars, who occupied the third, fourth and fifth floors. They employed three hundred hands, mostly girls and women. Loss, about $75,000. The second floor of No. 178 was occupied by Descenberg & Son, varnishers; damage, $8,000. Wm. T. Coleman, commission merchant, occupied the second floor of No. 180. Loss, $10,000. The first floor was occupied by Carl Upman, wholesale dealer in leaf tobacco. Loss, $10,000, mostly by water. The damage to the building, which was owned by Mrs. Stevens, will not exceed $15,000.

At noon to-day the down-train from Harlem, on the New York elevated railroad, reached Forty-second street when it came in collision with an upward-bound train. Both engines were utterly wrecked, and one section of the rails were precipitated into the street below. About sixteen persons were more or less injured, but none fatally. A great panic prevailed on the train, and the wildest commotion ensued. It appears that a Forty-second street train had just been switched off to turn into the depot, and that the switch had not been closed when the down-train came along. The result was that the down-train switched off on to the east side track where it collided with the upward-bound train. The engines were badly damaged, and the forward cars were knocked off from their tracks.

Later advices from the scene of the accident on the elevated railroad report only five persons injured—none seriously except a brakeman. The track is again in running order.

TUNSTALL'S STATION, March 25.—Patrick Smith and Julius Christian, convicted of the murder of John C. Lacey, white, on the 17th of January last, were hanged to-day at New Kent Court-house, Virginia. About two thousand people were present.

THE ALSTON TRAGEDY.

The Trial of a Policemen in Connection with the Difficulty.

An important meeting of the board of police commissioners was held last evening at police headquarters. The business of the session was the trial of two of the officers, Policemen George W. Spier and W. H. Smith. There was a full attendance of the commissioners and a goodly attendance of witnesses and spectators.

THE CASE AGAINST OFFICER SMITH

was based upon a charge of neglect of duty in violation of rule 35 of the rules and regulations governing the police force of the city. The specifications related to his action at the time of the Cox-Alston tragedy and immediately preceding the fatal rencontre. The case against the officer has excited a great deal of interest in the city, and its trial was expected to throw additional light upon the facts of the tragedy and lodge the responsibility for the lamentable non-interference of the authorities which contributed, it is contended, to the bloody result of the meeting between Cox and Alston.

The testimony taken before the commissioners is given with sufficient particularity below to inform the reader of the proof adduced and the basis for the action which the board afterwards took in the matter.

MR. JAMES LOYD

was sworn, but stated that he knew nothing about the case; he said nothing to Mr. Smith himself and knew of nothing that might have been said to him by others; had never spoken to the officer about the difficulty and was gone to dinner when the affair occurred.

OFFICER J. B. HUDSON

was sworn. He had been to dinner, and when he returned he met Officer Smith near the State of Georgia Bank corner; Officer Smith said there had been a spat between two parties in the barber-shop; asked him where they were, and he said they were gone; he remarked that he thought they would have a serious difficulty, and I asked him "why?" He said because one of them was going into the stores there. We went over there by the barber-shop and walked backward and forward, but saw nothing out of the way. I got my coat out of Weinmeister's and went on up Peachtree street to the mouth of Broad street, when I saw some ladies on a balcony looking down that street. I looked and saw people running, and I broke and ran back. That was shortly after 3 o'clock.

COMMISSIONER CLARKE—Where did you first meet Policeman Smith?

ANS.—Over there by the bank corner. He said there had been a little spat at the barber-shop and we went over there to see if we could find the parties.

COMMISSIONER CLARKE—Did his manner or his words impress you, by their earnestness, with the idea that he thought there was danger of a serious difficulty taking place?

ANS.—No, sir; there was not much earnestness in his manner.

COMMISSIONER CLARKE—Did he tell you who the parties were?

ANS.—No, sir; he did not say who they were. He is a man of few words, generally. From what he said, and he spoke in such a way that I thought may be it was some of the boys over there in a little quarrel.

COMMISSIONER CLARKE—Did you think he seemed to be convinced of the fact that there was going to be a difficulty and that it was necessary for one or both of you to look after it?

ANS.—I did not think so at the time. I think he said a serious difficulty, or something to that amount. We went over there and walked by two or three times. I asked him why he did not arrest the party he saw and he said it was because he did not want to arrest one without taking both. I did not see either of the parties. From the time he spoke to me until the shooting I do not think it was fifteen minutes. I think I asked him where the parties were, and he said they were gone. He called no names.

To Mr. Pendleton, counsel for Smith—I think he said "a serious difficulty." Everything was quiet when the shop and the barbers were out at the door. I saw nothing to indicate the liability of a serious difficulty.

ED. PERSONS,

one of the colored barbers, testified that Cox and Alston were quarreling in the back room of the shop; he sent after a policeman to stop the impending difficulty, and just as Officer Smith got to the door Cox went out by him and passed down the street; Colonel Alston went up the street. This was about 2:30 p. m. He did not request the policeman to arrest any one as both men had left the shop; said nothing to him about the difficulty and he never came into the shop. Does not know what injuries Officer Smith may have made, or what others may have told him.

TOBE WILLIAMS,

another and blacker barber, deposed that when Cox and Alston were quarreling in the shop Ed. Persons sent him to call a policeman. He called Officer Smith and told him he was wanted at the shop to arrest a man. As they got to the door Cox and Alston came out, and witness pointed out Cox, saying, "there he is—that's the man." The officer did nothing in response.

COMMISSIONER GOLDSMITH—Did you tell him that Cox had threatened Alston's life?

ANS. No sir. I just told him there was a difficulty and pointed Cox out myself. Mr. Alston was gone and Mr. Cox went down the street and then came back. He (Cox) said nothing in the presence of the officer, but came back and went into the shop. The policeman was still there. Cox went in and sat down. There was no one else there at the time. When he left soon after he went up towards the capitol. The officer was outside and close by, but he never followed Cox. He did not follow him either time. He did not follow him up to the capitol. He did not ask me who either party was. I did not know Alston; did know Cox.

COMMISSIONER GOLDSMITH—Did you lead the policeman to think that there was a seriously difficulty on hand?

Ans.—No, sir. Mr. Cox was saying nothing when he came out.

COMMISSIONER CLARKE—Did you see Officer Hudson with Smith at any time then?

ANS.—No, sir. He was alone all the time.

COMMISSIONER CLARKE—How long was Cox gone when he left the shop the first time?

ANS—Five or ten minutes. This officer was there all that time—never more than ten paces away. No one came out of the shop and made a complaint to him. The object in calling him was to stop the difficulty in the shop. The men were in the back room with the door closed and would not let any one in. The boss told me to get a policeman, but did not impress me that there was about to be any serious difficulty. I pointed Cox out to the policeman twice as the man who was raising the fuss.

J. S. HALL

testified that on the evening of the day after the shooting Officer Smith told him that Cox was pointed out to him (Smith) as he (Cox) came out of the barber-shop; that Cox went into Pause's and then into the Reading Room; that he then came out and went down Peachtree street and across the railroad; that he came back soon after in a fast walk and he (Smith) followed him to the capitol and saw him go in; that he then came back and soon after heard that a man had been killed up there, and that had he known there was going to be a difficulty he would have done everything in his power to prevent it.

GEORGE YARBOROUGH,

from the barber-shop, said that when he came in from dinner the boys told him there had been a difficulty there and a policeman sent for. The officer was outside then, and while he was there Mr. Cox came up and darted into the "Girl of the Period" saloon, and out again and into the barber-shop. The policeman did not go away farther than Pause's or the Reading Room while Mr. Cox was in there. When Cox came out and went toward the capitol witness' judgment is that the officer walked off up the street in the direction Cox went.

COMMISSIONER CLARKE—Did you all have any idea of what Cox was going to do when he went out the last time?

Ans.—Knowing Mr. Cox for twelve or fifteen years, I knew he was no coward, and from the time he was waiting there I told the boys they had better look out for a difficulty, as I had heard Mr. Alston was a pretty game man. I heard Mr. Cox tell the gentleman he was in company with to "tell him

HE WAS WAITING FOR HIM

according to the time appointed for him." Witness did not tell this to the officer. Mr. Cox said he was "there on time," or "according to the time appointed." Went to see if he was there expecting the other man to come there. There was no excitement about there. A good many knew they had been in there and had some words, and probably expected a difficulty. The men about the shop kept pretty quiet.

ED. PERSONS, RE-CALLED,

said he did not care to have the parties arrested after they left his shop. When Cox left the shop the last time witness thought he was going up the street to look for Alston. The officer went up the street behind Cox; don't know that he followed him to the capitol. Cox was not acting as a man usually does; he was moving much faster, but displayed no weapon.

TOBE WILLIAMS, RE-CALLED,

said he heard some of the quarrel in the shop and when he first saw the men he thought they were going to fight right away. Officer Smith did not walk up to the capitol behind Mr. Cox; not while I was standing there.

Ed. Persons again said that Smith went up the street after Cox, and Yarborough also corroborated the statement.

OFFICER SMITH'S STATEMENT.

No testimony was offered by counsel for Officer Smith, but that gentleman made a statement agreeing in the main facts with the testimony of Officer Hudson. He had watched Cox until the latter crossed the railroad and got off his beat; he did not consider that he had testimony on which to arrest Cox. After this he arrested two federal soldiers and brought them to the station. When he returned he saw Cox about the barber-shop, but saw nothing out of the way about him. When Cox started toward the capitol he (Smith) walked on after him and kept his eye on him until Cox was between Broad and Forsyth streets; then walked back and after talking with Officer Hudson, as detailed, he went on near the corner, saw the crowd running and heard that a man was killed; went then on to the capitol and saw what had taken place. He knew neither of the men nor that they were dangerous men.

DISCHARGED FROM THE FORCE.

The commissioners, after discussing the matter with closed doors, finally found Officer Smith guilty by a vote of four to one, and he was discharged from the force.

The rule that he was charged with violating reads: "Rule 35. Each policeman must, to the utmost of his power, prevent the commission of assaults, breaches of the peace and all other crimes about to be committed."

Officer Speer was charged with sleeping while on duty, and, after a lengthy investigation and discussion, was discharged from the force by a unanimous vote.

Supernumeraries D. N. Bagby and J. T. Lynch were thereupon elected to fill the vacancies.

WAS PRENTICE BRIBED

THE CALVERT STORY TRAVERSED.

A Half Million Offer by General Beauregard—The Money Put Up and the Bank Named—What Mr. Prentice Used to Say About It—A Denial of Calvert's Story.

Washington Post.

The readers of the Post are familiar with the statement which has recently been going the rounds of the papers, based on the authority of Mr. Calvert, for some years the confidential book-keeper of the old Louisville Journal company, and said to be corroborated by Paul R. Shipman, one of the assistants of George D. Prentice in the conduct of that famous paper, to the effect that Mr. Prentice had been seduced in 1861, by a bribe of $25,000, to convert the Journal into an organ of secession. To say that the charge was a shock to all who read it is to feebly express it. In Mr. Calvert's statement the money was declared to have been paid to Mr. Prentice. The article announcing the change, he asserts, was written, put in type, locked up in the form, and about to be printed, when he discovered it, and hurried late at night to Mr. Shipman's house, roused him out of bed, and, by his authority, took the article from the form and suppressed it. Mr. Prentice, however, kept and finally spent the money.

Bristling with this startling array of charges, which, after eighteen years, have been raked up against the name of one who died with an unblemished reputation, a reporter of the Post called last evening at 609 N street northwest, the residence of Mr. Rufus Prentice, the only living brother of George D. Prentice. The door was opened by Mr. Prentice himself, who extended a courteous welcome to his visitor, and invited him to a seat in a modestly furnished parlor. The brother of the great editor, poet and wit, is now in his sixtieth year, a small spare man with long gray hair falling on each side of a face which attracts by its kindly smile and benevolent aspect. He talked freely about his brother, and did not seem to be disturbed by the recent publications reflecting on his character as a man and patriot.

"Yes," he said, "I have read a number of newspaper articles, purporting to give the history of a bargain made in 1861 by my brother with the leaders of the confederacy."

"What do you know about the matter?"

"It is the first I had ever heard of it."

"Did you have any conversation with your brother at that time on political subjects?"

"No, I did not. He was living in Louisville and I in Washington. He came here shortly after the war began, and afterwards quite frequently during its continuance."

"Did he, in any conversation you held with him during these visits, speak of his being approached in the interests of the confederacy to secure the support of his paper to that cause?"

"Oh, yes. I remember his telling me that General Beauregard offered him $500,000 to secure the support of the paper. This amount was intended for the purchase of the paper outright, or, in case my brother did not wish to sell, the offer would remain good providing that the paper would remain neutral."

"Are you sure about the amount?"

"Certainly. He was offered a check for that amount on the bank of Georgia, and in those days, you know, that was a good bank."

"How was this offer entertained?"

"He merely spoke of it to me in a casual way in connection with other topics about the war, and the possibility of his having accepted the offer or thought of doing so did not once occur to me."

"You knew Mr. Shipman?"

"Yes, he was the managing editor of the Journal when my brother was away. He always boarded with him, and as they were both in the same house I could not understand, as has been stated, why they should send for him rather than my brother to decide whether the alleged article should go in."

"Did your brother ever change his views on the war question?"

"No. He was a union man, strongly so. I remember his deep regret that his two sons went into the confederate army. They were attending a military school at Louisville, and when the war broke out, the principal, General Buckner, joined the southern army and carried his whole school with him. The oldest, a boy of about twenty-three, was killed when he had been away only five days. The other went through the entire war."

"Did they have their father's consent to join the army?"

"No. As I say, they went off without saying anything to their father. He didn't have much control over them, at any rate."

"How do you account for the appearance of these statements in the papers at this late day?"

"Well, they are entirely new to me, but I suppose the story of the offer which was made to him has been told so many times that it had been exaggerated and changed until it has reached its present form. A number of years have passed; the men that knew George D. Prentice have retired from active life, and it has been left to their successors to give credence to a statement which does an injustice to the strongly expressed opinions and feelings of a man who in his day was constantly and prominently before the public."

There was perhaps a shade of a sparkle in the calm blue of the placed eyes when the old man concluded, but whatever feeling had been aroused, it was not exhibited, and the same quiet, kindly voice bade the Post good evening that had welcomed its entrance.

AS VIEWED ABROAD.

A Louisiana Opinion on the New Constitution of Georgia.

New Orleans Times.

The revolution in state constitutions inaugurated by Pennsylvania in 1874 has yet made little progress. The state of Georgia followed in 1877, but stranded on the reefs of a bleak shore of imbecility, and we are at a loss how to locate the hybrid phenomenon sent out by her body of constitution-makers with the statesman-like model of the Quaker commonwealth in their hands. Having commended to our approaching assembly the latter as a charter of rights valuable to the people and worthy of emulation, we propose to warn it against deviating into the failure so signal in the former. In the Pennsylvania constitution design and execution go hand in hand in admirable harmony, being both of the first order of merit. Its initial purpose is to resolve all the elements of free government susceptible of such treatment into elementary principles, and the clear, concise, comprehensive and profound manner in which it is done revives the order of state papers conspicuous in the early days of the republic. It thus takes many of the citizen's rights and prerogatives from the control of the huckstering politician, and secures for them direct recognition by the judicial power. Then recognizing the wanton, profligate and tumultuous element of the political slums in the law-making authority, it proceeds further to abridge its capacity for mischief by means of elaborate interdictions. Our present design is to make apparent by contrast the failure of the emulous Georgian to follow in the footsteps of these examples. The copyist of all grades, and in every walk of art, improves, so to speak, upon his model in the inverse ratio of his incapacity; thus, in this case, the "declaration of rights" is improved into "bill of rights." The declaratory schedule itself presents proofs in series that the Georgian politician does not rise to the height of perceiving even the scope, character and purpose of the Pennsylvania statesman. For example, we quote two provisions of the same class, both superfluous, if not silly, which appear, one in Art. I, comprising the declaratory list, and the other in Art. III, defining the powers of the legislature:

BILL OF RIGHTS.

SEC. 2, Par. 6.—The general assembly shall have the power to provede for the punishment of fraud; and shall provide by law for reaching the property of the debtor concealed from the creditor.

LEGISLATIVE DEPARTMENT.

SEC. 7, Par. 22.—The general assembly shall have power to make all laws and ordinances consistent with this constitution, and not repugnant to the constitution of the United States, which they shall deem necessary and proper for the welfare of the state.

This loose mode of putting into form so solemn a compact, with or without capacity for the work, is extremely reprehensible, and we are possessed of an intense desire that our convention should not fail to see it. A body of constitution-makers so obviously incapable as that which turned out the Georgia instrument should secure the sole merit possible to it, of adhearing closely to the able and statesmanlike model before it. But the exact contrary is the case. It seems to suffer, indeed, a chronic apprehension that some one may detect it in the act of stealing. And the mode by which it proposes to secure itself against such discovery ought to bring a smile even to the pinched and sad countenance of the prevailing member of the general assembly of the old Quaker state. A couple of excerpts will illustrate this:

No person shall, for the same offense, be twice put in jeopardy of life or limb.—Penn. Const., Art. 1, Sec. 10.

No person shall be put in jeopardy of life or liberty more than once for the same offense, save on his or her motion for a new trial after conviction, or in case of mistrial.—Ga. Const., Art. 1, par. 8.

Thus the neophyte could not reproduce the simple declaration above, which has been contained in all systems, without disclosing—well, the Mammalian appendage, which the constitution-maker of Georgia does not, in a political sense, seem to have dropped, as was to be expected if the theory has application to political species.

And, again, the next following paragraph offers a little illustration:

Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.—Penn. Const., Art. 1, Sec. 13.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel nor unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest or in prison.—Ga. Const., Art. 1, Par. 9.

Are we to consider abuse billingsgate in the constitutional sense; or, shall its definition be found in Webster; or, shall the general assembly exercise its power on it; or, is the judicial intellect to grapple with this unexpected problem in Georgia politics?

But it is to be conceded that the ambitious Georgian, in his perpetual struggle to display original merit, here and there hits the bull's eye, as thus:

Par. 5—Lobbying is hereby declared to be a crime, and the general assembly shall enforce this provision by suitable penalties.

Whatever may be thought of the mental condition of the confiding constitution-maker who entrusts the confidence man, known as the legislature, with the enforcement of the declaratory provision, he will be commended, at least, for breaking it in. Yet it is wholly as a warning, and not an example, that we invite notice to this state paper. Its warning in every excellence that distinguishes the other, and chiefly in that of forging letters for the culprit department, which habitually wrongs the people—the legislature. Let us crowd into our new constitution as much as practicable of the people's charter in the Quaker state.

THE BOOMING BABIES.

The Baby Bonds, We Mean.

A call at the treasurer's office on yesterday developed the fact that the baby bonds are still being disposed of just as rapidly as they can be signed.

Yesterday evening Treasurer Renfroe received three checks for $5,000 each for bonds. One of these checks came from Sandersville and two from Savannah. Two of them asked if they could get more of them. On Saturday orders for $25,000 were received. Mr. G. Gunby Jordan, of the Eagle and Phenix mills, Columbus, sent for $10,000. He wished them all in $5 denominations, which suggests that in all probability he wishes them for immediate circulation. He can very rapidly put them out by applying them to his pay-roll. The most of the orders are for $5 denominations, and the treasurer is inclined to think that it would have been more popular to have issued the whole loan in that shape. The large bonds arrived a few days since and are being rapidly signed and quite rapidly sold. These bonds are richer in appearance than the $5 bonds, having the vivid green fronts and rich seal-brown back.

THE BONDS IN CIRCULATION.

The bonds already issued are circulating freely and easily. We hear of no one who has refused them and they are used as a medium everywhere. They are quite frequently met in the course of business, and are ceasing to attract attention. They are usually tumbled into the money-drawer just along with the common greenbacks. There are many persons who have taken advantage of the readiness with which they are received to clip the coupon for the present year from the end of the bond. This is hardly noticeable, the coupon being only a thin slip of paper, and even when it is matured, the merchant who wants the bond, not for its interest so much as for its convenience as a medium of exchange, does not mind the loss of it. Still, there is reason to believe that the clipping of the coupons will interfere with the circulation of the bonds.

Mr. Renfroe will continue to fill small orders for bonds as fast as they come in, although he has large orders that would cover the whole issue. When he gets through with small personal orders he will then divide the balance, if there be any balance, among the banks that have ordered large quantities. It may, therefore, be accepted as an absolute fact that the four per cent. loan of Georgia has been placed. It is hardly less certain that the bonds will circulate freely among all classes of people.

THROWN OUT OF COURT.

The End of the Vanderbilt Scandal Reached.

NEW YORK, March 25.—This morning Judge Donahue, by consent of the counsel, entered orders dismissing the suit of Cornelius Vanderbilt vs. his brother, Wm. H. Vanderbilt, for seven million dollars, alleged to have been promised for withdrawing his opposition to the probate of the commodore's will, and also a similar order is in suit of the same plaintiff for seven million dollars damages for alleged conspiracy by Wm. H. Vanderbilt, Chauncey M. Depew and others, to get some one to personate him and have the reports of his supposed misconduct sent to the commodore by detectives. This ends the whole case, as no appeal is to be taken from the surrogate's admission of the will to the probate.

NEWS AT THE CAPITOL.

DR. ORR, state school-commissioner, is working up the people of Lee county on public education, a log law and a Moffett bell-punch bill.

THE following convicts, whose terms have expired, were discharged yesterday by Colonel J. W. Nelms, principal keeper of the penitentiary: Abraham Bonquin, colored, sentenced from Chatham county, spring term, 1875, four years for burglary; Joseph Lipscomb, colored, sentenced from Troup county, spring term, 1877, two years for aiding an escape; Silas Webb, sentenced from Habersham county, spring term, 1878, one year for bigamy.

THE following justices of the peace have received their commissions during the past two days: H. S. Bond, 246th district, Clarke county; Orlando McLendon, 246th district, Coweta county; ames W. Hindley, 9th district, Effingham county; T. W. Larrin, 1,231st district, Haralson county; Wm. Y. Brown, 85th district, Jefferson county; Henry Hale, 289th district, Morgan county; J. U. Henry, 1,217th district, Wayne county; Jas. F. King, Jr., 335th district, Wayne county.

THE comptroller-general is engaged in sending out the tax-digests for this year. There are three books for improved lands and other property, and two for wild lands, making five for

THE ATLANTA CONSTITUTION.

PUBLISHED DAILY EXCEPT MONDAYS

THE CONSTITUTION BUILDING,

ATLANTA.

DELIVERED in the city of Atlanta for One Dollar month.

MAIL SUBSCRIPTION, postage free, $10.00 a year, $1.00 a month.

THE DAILY edition contains fuller and fresher intelligence from all parts of the world than any other Georgia paper. Its news columns and correspondence are the most varied and its telegraphic service the most complete. Its circulation exteeds all over Georgia and into neighboring states, and its editorial opinions and comments are more widely quoted than any other southern newspaper.

CORRESPONDENCE containing important news solicited from any part of the country.

THE WEEKLY CONSTITUTION.

Four pages, thirty-six long columns—Published every Tuesday morning.

TERMS PER ANNUM, postage free, one copy, $1.50; six months, $1.00; ten copies one year, $12.50; twenty copies, $20.00.

AS AN ADVERTISING MEDIUM, THE CONSTITUTION offers, within its field, unrivaled advantages. The Daily edition has many more readers and subscribers in Georgia than any other newspaper, while its aggregate circulation is considerably larger than that of any other daily journal in the state.

THE CIRCULATION OF THE WEEKLY CONSTITUTION will compare more than favorably with that of any other weekly in the south. It is the cheapest paper of its class in Georgia, is carefully edited and contains, in compact form, the cream of the Daily. Among its attractions are original stories by the best southern writers, the latest news and market reports, elaborately prepared articles on agricultural matters, timely editorials, comments upon current events, crisp, sparkling and pungent paragraphs, and choice selections in prose and poetry.

All letters and telegrams must be addressed to THE CONSTITUTION, ATLANTA.

The Constitution.

ATLANTA, GA., MARCH 26, 1879.

QUEEN VICTORIA has embarked for the continent.

TURKEY is sending men-of-war to Greece.

MR. HAYES continues to send in nominations with his accustomed regularity.

THE lives of twelve thousand people in Hungary are endangered by the renewed floods.

THE political assassin is still endeavoring to place his bullets where he thinks they will do the most good.

THE French senate is divided upon the question of removing the seat of government to Paris.

SPEAKER RANDALL hopes to be able to announce the standing committees Tuesday or Wednesday of next week.

A COLLISION on the New York elevated railway yesterday created a tremendous panic, and injured sixteen persons, none seriously.

THE senate finance committee held its first meeting yesterday, but, beyond referring the bills on the docket to subcommittees, transacted no business.

IT is authoritatively denied that any change of ownership or policy is contemplated by our esteemed and sprightly contemporary, the New York World.

THE house adjourned at noon yesterday, Conger having stated that he would object to the introduction of any matter not germane to the appropriation bills.

MR. CONGER, of the house republicans, seems anxious to make a reputation as an objector. Conger's friends will have cause to weep for him one of these days.

SECRETARY GORHAM, after carefully balancing his accounts, danced out of office yesterday to make room for Colonel John C. Burch, the democratic secretary of the senate.

IF the republican minority is wise it will not insist too strenuously upon what it calls "precedents." There are some precedents in stalwart legislation which, if followed by the democrats, would be exceedingly embarrassing to the minority.

THE subterranean telegraph in Germany is attaining vast dimensions. It is only a question of time when the unsightly poles and tangle of wires in our larger cities will disappear and the lines find their proper level beneath the ground.

THE amiable Mr. Hoar, of Massachusetts, was upon his preposterous pins a good portion of yesterday chattering away about the unconstitutional and revolutionary course of the democrats. The old man is evidently speaking for the benefit of his great-grandchildren. Those who know say he files the Congressional Record regularly.

ENGLAND has accepted the tender of a company to lay a submarine cable to south Africa. The cable, when completed, will connect with the whole system of eastern telegraphy extending to India, China, and Australia. Meanwhile, the Zulus are shaving up and laying aside their pin-backs preparatory to an exceedingly vigorous summer campaign.

The Duty of the Assessors.

THE CONSTITUTION this morning conveys the gratifying news that the assessments of real estate for the present year, instead of showing the expected decrease of a quarter to a half million, shows an advance of over $4,000. This is a trifling advance to be sure, but still a most gratifying one. It shows, we think, that the actual value of improvements made for the past year amounts to nearly a half million dollars. It is probable that not a dozen pieces of property in the city carry an increased value this year over what was given in last year. There are hundreds of pieces that have declined.

The real work of the assessors, however, is just beginning now. They will be besieged for the next thirty days by an army of dissatisfied owners, who will contend that their property has been assessed way above its value, and they will therefore plead for a reduction. It is fair to say that in ninety-nine cases out of a hundred such a reduction should not be allowed. The assessors are appointed for the purpose of personally inspecting every piece of property in the city, and of putting on it its probable value. They have as data, by which to be guided, the assessments of the past years, the value of surrounding property, the amount of income received from it, and various other points. They have no object but to make a fair estimate. It requires two votes of the three to fix any certain valuation. The assessors are usually selected because of their acquaintance with the city, their sagacity and fine observation. The present board is an unusually good one, and has been unusually industrious and attentive. Its estimates should therefore be accepted without a murmur. There are certain men who always complain, and who usually tease the assessors into a diminution of the assessed value. This is unjust to the great body of citizens who take the assessment without questioning and pay their taxes without grumbling. Let the assessors treat all alike. They give their best judgment to the work at first, and as the mass of citizens accept their decision, let the special pleaders do the same thing. The city needs every dollar of money it can get this year, and the assessors will have done a great public service if they will only stick to their assessments.

LET us give thanks. The unseemly litigation between members of the Vanderbilt family has been brought to an end. The frailties of the old man will no longer be drawn from their dread abode, and let us hope that the disgusting spectacle of brothers wrangling in the courts over the results of a lust for greed has ended forever. William H. Vanderbilt can now afford to pay his taxes and conduct himself as becomes any other good citizen in moderate circumstances.

JOHN SHERMAN yesterday responded to the senate resolution calling for a statement of the expenses incurred in the employment of special deputy marshals at the elections for members of congress in October and November of last year. The figures are suggestive. The sum total—exclusive of the eastern district of Pennsylvania and a portion of Maryland, from which no returns have been received—is $52,249. The southern district of New York, in which Johnny Davenport operated, cost $25,530. The total aggregate for the southern states is $4,850, of which $3,155 was used in Louisiana.

THE joint committee appointed by the caucus committees to consider the shape and direction that should be given to the purpose of the democrats to repeal certain legislation obnoxious to the country and obnoxious to the party have come to an agreement. The extent of the recommendations will be found fully set forth in our dispatches. They are practically a renewal of the demand that the jurors' test oath be repealed, that troops be kept away from the polls, and that the existing laws for the appointment of deputy marshals be modified so as to relieve them of their partisan effect.

IF the new constitution of California is adopted, railroad pools and freight discriminations must be abolished in that state. The new instrument goes to the length of providing for the appointment of a state railway commission, with power to establish rates and generally to supervise the operations of railroad and other transportation companies of the state. The incidental authority necessary to make this power effectual, such as the right to examine books, take testimony, hear and determine complaints, issue subpœnas and apply to the courts for enforcement of decisions and correction of abuses, are also conferred.

THE senate committee on privileges and elections yesterday adopted by a strict party vote a resolution to the effect that Charles H. Bell, of New Hampshire, is not entitled to a seat in the senate. Bell, it will be remembered, was appointed by the governor of New Hampshire, not because there was any vacancy by death or resignation such as is contemplated by the constitution, but because the legislature was not in session. The majority of the committee very properly hold that the vacancy is not such as can be constitutionally filled by the appointment of the governor—in other words, that there can be no constitutional vacancy until after an actual election of a senator by the legislature—and they will so report to the senate. The republican members of the committee claim that what they are pleased to term an "original vacancy" can be filled by executive appointment, and they will so report. The republicans allege, moreover, that there are nine precedents to sustain their view and only one against it. The remedy for this unnecessary controversy seems to be with the governor of New Hampshire, who will finally be compelled to do what he should have done at first—namely, call a special session of the legislature for the purpose of electing a senator.

Public Opinion Invoked.

Marshal Fitzsimons since he has been in office has earnestly tried to build up a healthy public opinion against illicit distilleries in the counties in this state where it has been carried on. We are gratified to see he is meeting with proper assistance in many counties. The grand jury of Elbert county last week, composed, as the Elberton Gazette says, of able and influential men, in their general presentments, make the following statement about illicit distilling in that county:

> The grand jury respectfully calls the attention of the parties who are engaged in illicit distilling and beg that they discontinue it at once, as it is producing strife and trouble in our community, and we ask the good citizens of the county to use every effort to stop the same.

We have information also that at the suggestion of Marshal Fitzsimons they have recommended to him a suitable man to aid him in the suppression of this evil.

It will certainly be a great relief to the government to be backed up by the good people in the counties where this business is carried on, and Marshal Fitzsimons deserves commendation for such a course.

It will result in much more good to all parties than to harrass the people with groundless prosecutions, instituted by rascally officials, who have no purpose to serve but to make all the costs they can out of those who are accused. This one fact more than anything else has made the enforcement of revenue laws obnoxious to all classes of our people. No more conscientious and vigorous men can be found to enforce the law when it is violated than Attorney-General Farrow and Marshal Fitzsimons, and we hope they will receive the assistance of every good citizen in the state.

Mr. Hayes and His Republican Enemies.

Mr. Hayes can well afford to lend an attentive ear to any remarks in the shape of suggestions or advice that THE CONSTITUTION may feel called upon to make. From the day of his inauguration down to the present moment, this journal, in discussing his administration and the acts thereof, has endeavored to divest itself of the partisanship that ordinarily controls party newspapers; and it has defended him when the defence of a prominent democratic journal was worth something. No one knows this better than Mr. Hayes himself. He knows that THE CONSTITUTION has ventured to defend him against the violent onslaughts of partisan republicans, as well as against the attacks of democrats. We have applauded whatever acts of his that seemed to promise well for the country, and our criticism of his administration has invariably been tempered by the reflection that the peculiar circumstances attending his accession to the presidential office were well calculated to prove a source of fruitful and never-ending embarrassment. Upon one occasion, and one only—when Mr Hayes joined with John Sherman in an attempt to intimidate a court of law in Louisiana—has THE CONSTITUTION ever departed from the considerate methods of discussion prompted by the unique surroundings of his administration. We feel, therefore, that we have a peculiar right, at this juncture, to call the serious attention of Mr. Hayes to a few facts and possibilities of which, in the hurly-burly and confusion of politics, he has probably lost sight. Of the importance of the suggestions we propose to throw out he must be the sole judge. They concern him alone, and in estimating their worth, he must apply his own measurements.

Mr. Hayes, in standing face to face with the first democratic congress in a long series of years, occupies a very peculiar position. It would be a peculiar position under any circumstances. He was the candidate of the minority party and stands in some measure pledged to carry out the views of that party, and this fact alone is sufficient to make the situation altogether unpleasant and undesirable. But his position is doubly peculiar. Not only, as a republican executive, does he find himself confronted by a democratic majority, but he finds himself embarrassed on all sides by the outgrowth of the unhappy circumstances that preceded and led to his accession to office. He appreciates the fact that a majority of the people utterly refuses to believe that he was elected to the office he holds, and this majority includes many prominent men who were his earnest supporters. It seems that events could not combine to make the position of Mr. Hayes more embarrassing.

And yet, in the face of all this, there are republicans—men who have lost no opportunity and have even traveled out of their way to abuse and antagonize Mr. Hayes, and have thrown every obstacle in his path—there are at this moment prominent republicans engaged in an attempt to bring him into open and direct conflict with the democratic majority in congress. These republicans, in antagonizing Mr. Hayes, have brought to bear against him all the courage and cunning that mark the politicians of the stalwart breed. From the day he manifested a purpose to do justice to the unhappy south and administer the law in the interest of the peace and good order of all sections, these robust republicans—the implacables of the party—have been his open and undisguised enemies. They have hounded him up and down through the columns of their newspapers, on the hustings, and wherever and whenever they found an opportunity of weakening his influence with the people and of bringing his administration into disrepute. They have persistently sneered at and obstructed all his efforts to bring about civil service reform, and it has so happened that up to the close of the last congress, Mr. Hayes, in pushing any reform that did not commend itself to the partisan ideas of these stalwarts, was compelled to rely upon the aid of democrats for success. In this connection it is only necessary to allude to his recent victory over Conkling in the matter of the New York custom-house officials.

But there has been a very sudden change in the attitude of the stalwarts. The organs have ceased abusing and sneering at Mr. Hayes, and the bloody shirt politicians, who have heretofore held themselves scornfully aloof from the white house, are now engaged in subjecting the occupant thereof to the operations of a systematic coddling that must be extremely unpleasant. The secret of the sudden and suspicious change is obvious. They desire Mr. Hayes to interpose his veto between the will of the democratic majority in congress and certain laws which combine the very essence of the most odious partisan legislation. To this end the republican politicians are bending all their arts and all their energies, and they have even gone so far as to boast that they have succeeded in winning Mr. Hayes over to their purposes. As to this, we cannot say. It may be that, under the influence of these artful managers, Mr. Hayes may conclude to veto the repeal of the odious laws which the democrats are determined to remove from the statute-books, and thus precipitate a direct conflict with congress. If so, we have nothing to do save to await with serene confidence the inevitable result.

But, meanwhile, the action of the stalwart politicians in making these overtures to Mr. Hayes, apart from their desire to retain in the laws the obnoxious clauses, is a trifle suspicious. Is Mr. Hayes sure that he knows their purposes in thus inviting him to inaugurate a conflict with the majority in congress? Is he sure that he understands the game of such men as the Chandlers? Is he convinced that, in this business, he comprehends the aim of the stalwarts? Does he appreciate their methods and their resources? Does he believe that William E. Chandler has surrendered the enmity upon which he thrived and grew without some ulterior object in view?

Upon evidence which is not likely to get into the newspapers, but which is satisfactory to us, we have no hesitation in predicting that this stout opposition of the republicans to the repeal of these laws, and their sudden change of attitude towards Mr. Hayes, are based upon a long-cherished desire to bring about his ruin without seeming to be responsible therefor. The experience of Andrew Johnson has demonstrated beyond all question that an executive cannot afford to precipitate and carry on a conflict with the majority of congress. Of this fact the Chandlers are aware, and they are coddling Mr. Hayes, not with the hope of embarrassing the democrats, but in order to bring about the defeat if not the destruction of Mr. Hayes's administration. They know the peculiar position occupied by Mr. Hayes—a position which the democrats have heretofore practically ignored—and they know perfectly well what the result will be should he determine to inaugurate a conflict with congress. We have thrown out these suggestions for the consideration of Mr. Hayes. If he understands and appreciates their bearing it is possible that some serious complications may be avoided; but, whatever the result, we feel assured that the democrats will not hesitate to do their duty.

THE entire republican press is ready, at a moment's notice, to man Robeson's yards. There is nothing like having your entire political family as sympathizers when you are caughtin a bank vault with a crow-bar concealed about your person.

HERETOFORE the average Louisiana witness has been utilized altogether by the republicans. Now that the democrats have come into power, do they not fall heirs to these restless affiants—so to speak? A republican statesman with twelve dollars in his pockets was able to command a dozen affidavits in every parish in Louisiana. It is a vexatiously sad thought, but in all probability Kellogg will be the last man to take advantage of the easy virtue of the Louisiana witness.

MR. EDISON says his electric light will cost fifteen and a half cents a thousand feet. But what will his company put the price at?

THE fact that Currie, who recently assassinated Porter, the actor, in Marshall, Texas, is a northern man, should go far towards tempering the essays upon southern civilization that our friends beyond the line are engaged in contributing to their able papers; and the fact that the outrage was committed in a southern community should arouse our people to the necessity of bringing that most potent factor, public sentiment, to bear upon individuals as well as upon society.

AMERICA ought to have a sort of lie-ric stage where the wonderful capabilities of her Jenkses and her Olivers could be displayed to advantage.

THE senate couldn't do better, while it is waiting for the house to ring up the curtain, than to put Kellogg, of Louisiana, through a little rehearsal. The sooner the democrats dispose of this man by ejecting him, the sooner will they convince the country that they are in earnest about reform.

IT looks rather squally for Ingalls, of Kansas. The charge is that he was exceedingly handy in the use of money to effect his election to the United States senate. Ingalls will probably go to meet Kellogg.

ONE of the unavoidable difficulties of the accession of the democrats to power will be the large number of bummers that will flock over from the republican camps. Even Tom Nast is beginning to make the minority ridiculous in his coarse cartoons. At present, he wants them to pay the negroes they have swindled through the freedman's bank. This is a huge joke. If they had the power to vote an appropriation, it would never get to the unfortunate colored people who have been so unmercifully robbed. Restitution will have to be made by the democrats and through democratic channels.

THE little town of Metuchen, near Menlo park, will be lighted up this summer with Mr. Edison's patent electricity. Some such light will be thrown upon the republican party before the maple trees are ripe.

"WILL our good friend of THE ATLANTA CONSTITUTION," asks the Burlington Hawkeye, "be so kind and accomodating as to "tell us what he thinks of the southern "members of congress who refused to sup"port Blackburn for the sole reason that "he had served in the confederate army? "Are not these men, too, guilty of swing"ing the ensanguined nether garment?" We do not think about these men for the reason that we know nothing of them. We know of no southern men who refused to support Mr. Blackburn for the sole reason that he had served in the confederate army, and we do not believe that any such southern men exist. There are numbers of southern men who would refuse to support Mr. Blackburn if the only argument in his favor was that he had served in the confederate army, but there is not one who would oppose him because he had followed the fortunes of the confederacy. The readers of the Hawkeye do not appreciate the humor of Mr. Burdette merely because he is a successful lecturer, but at the same time they do not go so far as to ignore his writings because he airs his humor on the stage.

MR. TALCOTT WILLIAMS, formerly the Washington correspondent of the Utica Herald, has joined the staff of the Springfield Republican, and will hereafter write the political articles for that journal.

POSTSCRIPT.

ZACH. CHANDLER is called the "Old Hickory" of the senate.

"GATH" never runs out of "soap." He has lie enough on hand to keep the pot boiling.

MISS AGONIES HERNDON is about to invade the city again, Jessel and all.

THE warfare on revolvers is properly termed a revolution.

IT is not half so hard to bid the radical party farewell for ever as one might have imagined.

THE republicans of Ohio, having passed through their period of Hayes, are trying to raise a denser Fogg.

SENATOR HILL now occupies—or more than occupies—the seat of the late alleged Senator Stanley Mathews, of Ohio.

TAYLOR BROTHERS, 676 Broadway, New York, have a "personal" in the Herald asking B. W. Briscoe, of Atlanta, Ga., to call on them.

EVEN the conservative Mr. Bayard favors a new deal in the officers of the senate. That Augean stable must be cleansed.

WHY cannot Hayes and the stalwarts agree? Both are in a large minority and needful of comforters.

A SCIENTIST is discussing the proposition: "Do opossums play 'possum?" Our experience is that they act like it.

IT would have been cheaper for Simon Cameron to have sued the widow for a divorce from bed and board.

THE radicals who howl about the "rebels returning to power" should remember that such an event is one of the early traditions of the government.

THE radical senators who wanted Hayes turned out as soon as he got in appear very much alarmed now lest the democrats should undertake to gratify them.

IT is very ludicrous to hear that old white ass, Edmunds, braying in a minor key. He promises to be a very amusing animal during the continuance of his term.

THE last copy of the Southern Historical papers contains the interesting report of General John B. Gordon on the battle of Monocacy, one of his most brilliant engagements during the late fraternal difficulty.

THE great constitutional lawyers who edit the New Orleans Times are abusive of Georgia's new constitution. Still that constitution is a very democratic document and can stand abuse from that quarter.

MR. MCQUAIDE, one of the editors and proprietors of the Helena (Montana) Independent, is spending a few days in Atlanta visiting relatives. He is a genial representative of the journalism of the north-west, and is heartily welcomed among us. His enterprising and thorough-going democratic journal is a regular visitor to our sanctum.

IN GENERAL.

—Simon Cameron is 80. Mary Oliver is 40.

—Rowell, the pedestrian, on Saturday exchanged his American winnings for £3,900 sterling.

—The Buffalo Express thinks that ex-Secretary Cameron's defense should be emotional insanity.

—The Bayard of the park or bank parlor is the Bismarck of his home.—London World.

—A Berlin baker was imprisoned lately for making a gingerbread caricature of Bismarck.

—Mrs. Cobb, in state's prison, feels the enormity of her innocence more than ever before.

—Nearly four hundred thousand copies of the new Methodist Hymnal have been sold.

—Senator Bayard has nine children, and consequently, we suppose, has no time to be president.

—An actor in the royal Chinese theater, San Francisco, named Long Yow, is paid at the rate of $6,760 a year.

—In London is a society the members of which agree to use their influence to abolish the practice of wearing mourning.

—The pavement found to answer best in London is wood laid on asphalt, which is allowed to harden before the wood is laid on. Asphalt is too slippery.

—The balance sheet of the Paris exposition foots up some $6,000,000 on the wrong side of the ledger. The expenses are said to have been 53,000,000 francs, and the receipts only 30,000,000 francs.

—There has been a remarkable case of constancy in England. A man who escaped from his wife thirty-five years ago has just returned and offered to "kiss and make up." A few days prior to the offer the wife had inherited a large estate.

—Countess Hohenau, who was morganatically married to the late Prince Albert of Prussia, the youngest brother of the Emperor of Germany, died on the 6th instant at Dresden. She left two sons, who bear the title of Counts Hohenau and are officers of the Prussian army.

—The marriage is announced of Miss Mary Hungerford, the belle of the American colony in Paris, with Count Telfener, a gentleman who occupies a high position in Rome. The wedding ceremony took place in Rome, and the nuptial benediction was given to this illustrious couple by his holiness the pope in person.

—Mr. Roebuck was injured by an unknown liberal M. P. in the commons the other night as he was feebly crawling toward the door. He had not been in the house for a long time and the opposition apparently still resents his defection on the eastern question.

> Spring is come—
> Ohio!
> Winter is gone—
> Aha!
> Next comes summer, then autumn,
> And seasons come
> And go.
> Selah!
> Thus they have always done.
> By gum!—New York Mail.

—When you see a young man sitting beside a much "banged" or frizzled young lady in a railroad car, or a theatre, and his arm sort of instinctively crawls around the top of her seat in close proximity to her dollar store necklace and back hair, you may feel assured that he is not her brother. And the chances are less than one in a hundred that they are married.—Norristown Herald.

—In the great race for wealth and fame does it ever occur to a man that 6,500 years ago Sirius was the predominant star of autumn, and that 6,000 years hence it will be the ruling star of spring? We don't suppose it does. The greed of gold drives the love of astronomy out of a man's head, and if you were to tell him that 200,000 years hence the moon would shine in the daytime and the sun at night, he wouldn't manifest any any alarm whatever, but coolly reply, "We shall see."—Norristown Herald.

—Probably there is no sphere in life so girt about with heaven-distilled glories, so earth-despising, so irradiate with the divine effulgence that o'ertips Parnassian heights, as the sphere of the confirmed checker-player. And yet we have known woman with soul so mean as to ask her husband to descend from his lofty perch before a checker-board for some such grovelling thing as to go down cellar for a scuttle of coal, or to split kindling-wood, forsooth! "Oh woman! to have a treasure and not know it."—Boston Transcript.

—It is stated that Miss Hall, daughter of Oakey Hall, writes the art notes for the New York World, and trips gayly from studio to studio in search of her data; that Miss Jones, daughter of George Jones, of the New York Times, makes the literary selections for the supplement of the Sunday edition of that paper, and that Miss Dana, daughter of Charles A. Dana, of the New York Sun, frequently does newspaper work, is a clever writer, and has written for the magazines, having contributed stories to Harper's Monthly.

—M. Gambetta, a few days after being elected president of the chamber, sent for M. Castagnary, a writer on the Siecle, and now president of the Paris municipal council, and offered him the post of secretary to the presidency, at a salary of 9,000 francs a year. M. Castagnary asked for forty-eight hours for reflection. Before the expiration of the time he learned that M. Gambetta had engaged a celebrated cook at 10,000 francs a year, and, considering it somewhat strange that the president of the chamber should pay his cook so much more than his secretary, declined the offer made him.

> "A fellow went crazy because
> A belle in Missouri false was—
> Aye, false—and to him!
> When his reason grew dim
> He fled to the state of Texause.
>
> And there, with a bell round his neck,
> He wanders about without check,
> And seeks in each part
> Of the state a sweetheart—
> A mental and physical wreck."
> —Chicago Tribune.

Tilden's Victories.

Pittsburg Telegraph.

The Tilden movement is now tremendously active. All at once it wins two signal victories, one over the opposition in New York and the other over that in Pennsylvania. Some time ago the legislature of the metropolis appointed a committee to investigate charges of extortionate fees urged against the county clerk, and that gentleman with a multisimess signified by his name of Gumbleton refused to let see his books. There was a fierce battle for a while, finally ended by an order from the governor removing him. The mayor, a stout Tilden man, appointed another stout Tilden man to the vacant office. This transfers the power of that establishment from the royal hands of King John Kelly to his old enemy of Gramercy park. The register and sheriff, in mortal fear of their own official heads, are reported to have made terms with Tilden also. Through the revolutionary scheme, as King John's organ calls it, Tilden gets control of the municipal patronage, which means that he will through this control the election of Tammany officers next month. Control of Tammany is regarded as good as the complete ownership of the New York democracy. New York is set down as the pivotal state, the one on which the next election for president will turn. This is the grand secret of the uproar over the removal of grumbling Gumbleton. This is Tilden's triumph in New York.

In Pennsylvania it was the election of Randall to the speakership. The mere fact that an ardent Tilden man received that honor on the first ballot is in itself an important fact. But the more important one is that he received it in spite of the desperate endeavors of an anti-Tilden man. In truth, this overthrow of King John in his own state and of King William in this does show that Tilden is not hopelessly paralyzed.

Tilden and Grant.

Washington Star.

While Speaker Randall was re-elected on his own merits, it is undoubtedly the fact that his success is looked upon by politicians as a decided indication of the success of Tilden in getting the democratic nomination for the presidency. In fact the old political stagers in Washington already put it down as an assured fact that Tilden and Grant will be the party candidates pitted against each other in 1880. The figuring for Tilden is on this base: The democratic party can count upon carrying every southern state, and will only need to secure New York and Indiana, and some small state in addition, to get the requisite number of electoral votes. It is doubtful if there is any other man who would be as sure of carrying New York as Tilden, and of course Hendricks would be a winning card in Indiana. Then it is believed that Tilden would stand a good chance of carrying New Jersey, and a yet better one of California, if that state was not neglected, as the California democrats say it was in 1876 under Hewitt's management of the national campaign. Thus, with Tilden and Hendricks in the field, with

ROUNDABOUT IN GEORGIA.

—The Fort Gaines Tribune is the newest.

—The blue-bird is scratching around trying to rent a house.

—The summer resorts around Gainesville are getting in trim.

—The baby bonds are circulating in Forsyth as currency.

—Mr. Tom Gray, of Smarr's station, has a boar thirty inches high.

—The wheat crop in Coweta county is looking well.

—The hog cholera is raging in portions of Coweta county.

—Vicious dogs abound in the streets of Savannah.

—The street authorities of Savannah are making war on the mistle-toe bough.

—Hamilton will soon be the temporary terminus of the North and South road.

—Louisville wants a railroad to Bartow, on the Central, and she ought to have it.

—The rate of taxation is much lower in Monroe county this year than for many years past.

—The cost of the Butts county paupers is about three hundred dollars a year. Those of Monroe cost three thousand dollars.

—Old settled judges say the fruit in North Georgia has not been materially injured by the recent cold weather.

—The fillable land in the Macon park has been rented to Mr. M. C. Freeman for $375 a year.

—The measles are playing an engagement in Lafrange. They seem to be unusually malignant.

—Mr. J. C. Matthews, of Americus, has fallen heir to $50,000 left him by an uncle who died recently in Virginia.

—Two prisoners who had been sentenced to the penitentiary broke jail in Butts county last week and escaped.

—M. Van Estes, of Gainesville, is the father of a new girl baby. He says it is a very nice baby.

—The English sparrow is neither an intellectual nor an insectual bird. He is an unmitigated nuisance.

—By the accidental discharge of a pistol, Miss Pochert, of Savannah, was seriously wounded in the leg the other day.

—The spring fair of the South Georgia agricultural and mechanical association will be held at Thomasville on the 22d and 23d of April.

—Thomasville is reaching forth for an agricultural college. If we had one to spare there is no place we would rather give it to than Thomasville.

—Rough-looking individuals follow ladies through the streets of Savannah to such an extent that the police sometimes have to be called.

—The editor of the Valdosta Times has grown shy of middle Georgia; and yet the climate is salubrious, the atmosphere as bracing and the buttermilk as strengthening as ever.

—The Recorder says that Savannah is not by any means monotonous. Whenever there isn't a loose goat in the streets, or a man in female attire, there is usually a reckless bold tramp around to make things interesting.

—Three full-grown gray foxes were shot and killed by two Forsyth hunters the other day who were out shooting partridges. Don't this prevalence—so to speak—of the gray fox show that the reds are still emigrating towards the southwest?

—Lumpkin is bragging on a beet two years old that is as large as a half bushel measure. There are beats all over the country from twenty to sixty years of age that can hold a half bushel. But it is too soon to brag on them.

—The Sandersville merchants are already making contracts for the black-berry season. For several years they have been giving the colored pickers half they gathered, but, owing to the hard times, the negroes will get only a third this year. This is another of the evil effects of resumption.

—Colonel Woodall has sent to the Gainesville Southron office a bottle of most remarkable mineral water. He says the spring is in a beautiful grove near his house, at the junction of Brown's bridge and Lawrenceville roads, and that all the people in Hall county could not drink it dry. Its combination is sulphur, magnesia and iron.

—Sheep raisers should not allow their spring lambs to bite strange dogs. An appeal might be taken to the legislature by the owners of the dogs, and the result would probably be the abolishment of sheep. There is nothing more necessary in the autonomy of a great state than the unlimited protection of dogs.

—The Macon Telegraph says the Macon and Brunkswick road has just put on the line a new engine, the Governor James M. Smith. The new iron horse is just the same style of engine as the Governor A. H. Colquitt, and is from the same locomotive works. Her trial trip was very satisfactory, she will probably be used as a passenger engine.

—The April number of the Southern Farmers' Monthly, published by Mr. J. H. Estill, and edited by Major L. C. Bryan, is an improvement on previous issues, and this is the highest praise we could give it. The magazine is carefully edited and printed in superb style. All in all, it is about the best agricultural monthly ever issued in the south.

—Mr. A. Cohen, of Wilkes county, has informed the editor of the Washington Gazette that he proposes to pump all the water out of the hole in Murford creek, in which it is said a large amount of confederate gold was hastily deposited shortly after the surrender. When Mr. Cohen gets all the water out, he proposes to spade up the mud. We wish Mr. Cohen well.

—The Hon. Patrick Walsh and Judge Gibson are still antagonizing each other. Judge Gibson reiterates that the Augusta Chronicle is leating towards Grant, and Mr. Walsh rejects the rather emphatic language used in making his first denial. This reminds us that the weather is getting warm. A man across the way fanned himself with an old umbrella handle all day yesterday, and the under-jaws of several valuable town-dogs became unhinged. We can't have too little fuss while the sun is sidling towards the solid south.

—Grubb, of the Darien Gazette, and Russell, of the Bainbridge Democrat, are discussing the size and shape of the wheelbarrow in which one of them will be carted around the Kimball house after the next election for United States senator. This discussion is carried on by means of postal cards, but we feel that we speak the sentiments of nine-tenths of the democratic party in Georgia when we say that no cushions will be allowed in the vehicle. Public opinion will rule out anything in the way of tins and embroidery. The wheel-barrow will be in undress uniform, and not even a shoulder-strap will be allowed.

—Commenting upon the statement of the Lafrange Reporter that the total cost of the agricultural department of Georgia this year will be about $14,000, and that the inspection of fert-ilizers will bring in about $40,000, the Monroe Advertiser remarks that those who are clamoring for the abolition of the agricultural department say that the farmers pay the inspection fees, because when the manufacturers pay them, they put it in the price of guano. But this is certainly not true. The price for inspecting is fifty cents per ton, and if it were abolished the price of guano would remain the same. Besides, the rigid inspection laws prevent the selling of inferior guano, and is a great protection to those who use it.

—The printers of Savannah held a meeting Sunday afternoon for the purpose of discussing the practicability of forming a mutual benevolent assosociation. The News says that Mr. E. L. Hoffman was elected temporary chairman, and Mr. H. J. Middleton temporary secretary. It was decided not to enter into an election for permanent officers until a constitution and by-laws had been prepared and adopted. On motion, it was resolved that the committee to perform this duty should consist of Messrs. E. L. Hoffman, ex-officio chairman, John Nugent, L. P. Ashby, H. J. Middleton, W. H. H. Young and E. E. Levy. After further interchange of views, on motion of Mr. Dennis, the meeting was adjourned until 2:30 o'clock p.m. Sunday next.

—From a gentleman of Augusta, who owns a farm in Columbia county, about fifteen miles from that city, we learn that a heavy storm of wind, rain and hail prevailed in that section last Saturday afternoon. On Mr. Armstrong's place, trees were uprooted and fences blown down. The farms of Messrs. Fred. Beale, Ben Berry, Frank Stringer and Barrett Jenkins had the same experience. On Mr. Jenkins's place the side was blown out of a house. Large cedar trees were twisted off and huge pines were uprooted. Much fencing was destroyed. It was reported that a white woman was badly injured. Our informant stated that parties from Columbia reported that she was not dead but was painfully hurt. In some places the storm assumed the fury of a tornado. Our informant counted twenty-seven large trees blown down in one grove and the roads were so obstructed as to be almost impassable.

—The Savannah News says that last Sunday morning two gentlemen left the city in a sail-boat for a visit down the river, taking with them as help two colored boys. On the return trip yesterday afternoon about half past four o'clock, whilst coming through Freeborn Cut, the boat was capsized by a sudden "cap of wind" and turned nearly bottom side upwards. The two gentlemen and one of the colored boys managed to get hold on the side of the boat and clung to it with tenacity. The other colored boy, named Robert Savage, was unfortunately unable to help himself, and being carried beyond reach of assistance was drowned. The others were in the water for upwards of an hour, when the sloop Fat Take hove in sight and Captain Judson and Mate Johnson, perceiving the dangerous position of the party, immediately went to their assistance and succeeded in rescuing them, carrying them safely to the city. The body of Savage has not yet been recovered.

—Sumter Republican: On Tuesday night last a number of wagoners, who had brought cotton from Marion county, were camped in one of the wagon-yards, and were sitting around their fire, when a negro stepped up and proposed to sell a bridle he had. Mr. Davis, sheriff of Marion, was also seated near by, and he spoke up: "Yes, I am hunting for a man who stole a horse." At this the negro dropped the bridle and fled. He has not been heard of since.

—Gainesville Southron: Our North Georgia neighbors are becoming jubilant over the completion of the Marietta and North Georgia railroad from Marietta to Murphy, North Carolina, which will surely be done by midsummer. This gives our mountain friends an outlet into the world, and we would congratulate them if every one of them stand upon their loads on the day of its completion. Cut all the antlers you want to, gentlemen; we will hold your hats.

—Gainesville Southron: The directors of the Gainesville and Dahlonega railway have decided to open books for subscriptions in a short time. Let every citizen of Hall and Lumpkin counties consider well before placing his name upon the list. If every one will dwell for a moment he first thinks of subscribing he will never regret it, in our judgment. The road is an absolute necessity, and we must have it from every consideration.

—Lumpkin Independent: We learn that on Thursday night last Sheriff Hightower had quite an unpleasant dream, in which he plainly saw Alfred Bearden, a convict in jail, attempting to escape with tools some one had furnished him. As soon as he awoke he went to the jail, accompanied by Constable C. H. Stubbs. There they found that Alfred had commenced work to make his escape. He was provided with an auger, a chisel, a file and a whetstone. These were of course removed and Alfred will not become the free air of his native woods until he joins the convict squad.

—Athens Watchman: An esteemed friend, in writing to us the other day, mentions a very singular attempt to murder a young man named S. H. Shirley, son of Charles Shirley, Esq., living near Tallulah Falls, in Habersham county. The assailant was a young lady about seventeen years old, who stated to young Shirley, after twice attempting to shoot him, that she was in love with him, but saw no prospect of ever gaining him, and so had determined to kill both him and herself. The pistol she used was one she had borrowed from Mr. Shirley a few days before the occurrence.

—Augusta Chronicle: Last Wednesday, as the officers of McDuffie superior court were conducting Dennis Holden, convicted of an attempt to murder, to jail, just after the sentence, an unearthly scream pealed through the court-house, startling everybody. It was followed by another and another. It was ascertained in a moment that the shrieks proceeded from a negro woman, Holden's wife, and directions were given to put her out of the court-house. This was accomplished with some difficulty, as she continued screaming at the top of her voice. We understand that Holden charged her with being the cause of the crime for which he was convicted. He was found guilty of attempting to poison another negro.

—Athens Watchman: Two negroes, arrested for mule-stealing near Carnesville, acknowledged their guilt, and say they belong to a regular "society" whose duty it is to steal horses and mules, and that their only rule for requiring secrecy is, "Dead men tell no tales;" or, in other words, should one of their clan betray any one of the "society" as they term it, he should be killed. They say that two of their "society" by the name of Topham Soasby and Henry Curry, armed, stole Dr. Brawner's horse at this place two years ago. They also state that Henry Curry is now in the Athens jail. They seem to feel no hesitancy in giving names of persons belonging to their clan, and have given names of four white men living in and near Clarkesville.

—Macon Telegraph: On Saturday night occurred one of those little romances in real life of which we read on pages of fiction, but which in the dull routine of every-day existence we do not often meet. The incident illustrates the old expression, "there's many a slip, twixt the cup and the lip." Sometime since a prominent young gentleman of a neighboring town, of the Hebrew faith, lost his wife. The disconsolate husband, to soothe his grief, and as a recourse removed and Alfred will not become the free air of his native woods until he joins the convict squad.

—Colonel Woodall has sent to the Gainesville Southron office a bottle of most remarkable mineral water. He says the spring is in a beautiful grove near his house, at the junction of Brown's bridge and Lawrenceville roads, and that all the people in Hall county could not drink it dry. Its combination is sulphur, magnesia and iron.

—Sheep raisers should not allow their spring lambs to bite strange dogs. An appeal might be taken to the legislature by the owners of the dogs, and the result would probably be the abolishment of sheep. There is nothing more necessary in the autonomy of a great state than the unlimited protection of dogs.

—The Macon Telegraph says the Macon and Brunkswick road has just put on the line a new engine, the Governor James M. Smith. The new iron horse is just the same style of engine as the Governor A. H. Colquitt, and is from the same locomotive works. Her trial trip was very satisfactory, she will probably be used as a passenger engine.

—The April number of the Southern Farmers' Monthly, published by Mr. J. H. Estill, and edited by Major L. C. Bryan, is an improvement on previous issues, and this is the highest praise we could give it. The magazine is carefully edited and printed in superb style. All in all, it is about the best agricultural monthly ever issued in the south.

—Mr. A. Cohen, of Wilkes county, has informed the editor of the Washington Gazette that he proposes to pump all the water out of the hole in Murford creek, in which it is said a large amount of confederate gold was hastily deposited shortly after the surrender. When Mr. Cohen gets all the water out, he proposes to spade up the mud. We wish Mr. Cohen well.

—The Hon. Patrick Walsh and Judge Gibson are still antagonizing each other. Judge Gibson reiterates that the Augusta Chronicle is leating towards Grant, and Mr. Walsh rejects the rather emphatic language used in making his first denial. This reminds us that the weather is getting warm. A man across the way fanned himself with an old umbrella handle all day yesterday, and the under-jaws of several valuable town-dogs became unhinged. We can't have too little fuss while the sun is sidling towards the solid south.

—Grubb, of the Darien Gazette, and Russell, of the Bainbridge Democrat, are discussing the size and shape of the wheelbarrow in which one of them will be carted around the Kimball house after the next election for United States senator. This discussion is carried on by means of postal cards, but we feel that we speak the sentiments of nine-tenths of the democratic party in Georgia when we say that no cushions will be allowed in the vehicle. Public opinion will rule out anything in the way of tins and embroidery. The wheel-barrow will be in undress uniform, and not even a shoulder-strap will be allowed.

—Commenting upon the statement of the Lafrange Reporter that the total cost of the agricultural department of Georgia this year will be about $14,000, and that the inspection of fert-ilizers will bring in about $40,000, the Monroe Advertiser remarks that those who are clamoring for the abolition of the agricultural department say that the farmers pay the inspection fees, because when the manufacturers pay them, they put it in the price of guano. But this is certainly not true. The price for inspecting is fifty cents per ton, and if it were abolished the price of guano would remain the same. Besides, the rigid inspection laws prevent the selling of inferior guano, and is a great protection to those who use it.

—The printers of Savannah held a meeting Sunday afternoon for the purpose of discussing the practicability of forming a mutual benevolent assosociation. The News says that Mr. E. L. Hoffman was elected

CHILDS'S CATARRH REMEDY.

CATARRH

Thousands suffer without knowing the nature of this almost universal complaint. It is an ulceration of the head. Its indications are, hawking, spitting, weak inflamed eyes, frequent soreness of the throat, dryness and heat of the nose, matter running from the head down the throat, often ringing or deafness in the ears, loss of smell, memory impaired, dullness and dizziness of the head, often in the first stages, but more commonly in its advanced stages, attended with pains in chest or left side, and under the shoulder blades. Indigestion usually attends Catarrh; a hacking cough and colds are very common; some have all these symptoms; others only a part. Very little pain attends Catarrah, until the liver and lungs are attacked in consequence of the stream of pollution running from the head into the stomach.

All persons thus affected take cold easily, and have frequently a running at the nostrils; the breath sometimes reveals to all around the corruption within, while the patient has frequently lost the sense of smell. The disease advances covertly, until pain in the chest, lungs or bowels, startles him; he hacks and coughs, has dyspepsia, liver complaint, and is urged by his doctor to take this or that; perhaps cod liver oil is prescribed. Perfectly ridiculous! The foul ulcers in the head cannot be reached by pouring such stuff into the poor, jaded stomach. The patient becomes nervous; the voice is harsh and unnatural; he feels disheartened; memory loses her power, judgment her zeal, gloomy forebodings hang overhead; hundreds, yes thousands, in such circumstances, feel that to die would be a relief, and many even do cut the thread of life to end their sorrows.

THOUSANDS ARE DYING

In early life with consumption, who can look back a few years—perhaps only months—when it was only catarrh. Neglected, when a cure is possible, very soon it will transform the features of health and youth into the dark, pallid appearance; while the hacking cough, the excess of blood gushing from the lungs, or night sweats, all significantly proclaim it is too late; and thus a neglected catarrh ends in the consumptive's grave.

NASAL CATARRH.

Sometimes the disease only effects the membranes lining the nasal passages, and they may be easily reached and cured by simple means. But when it is located in the frontal sinus, or in the posterior nares, or if it has entered the eustachian tubes, and is injuring the ears, then nothing but finely medicated vapor can effectually reach it and destroy it. And certainly, after it has affected the throat and bronchial tubes, as all well-read physicians will readily attest, nothing can be relied on to effect a permanent cure but the inhalation of properly medicated vapor. In the same manner that we breathe common air, we can inhale and breathe a medicated air; and it is perfectly simple, any one can see, thus to treat diseases of the throat, bronchial pipes and lungs. How much better this method by which remedies are conveyed directly to the seat of the disease, than to resort to the uncertain and too frequently mischievous action of medicines taken into the stomach.

THE COLD AIR INHALING BALM.

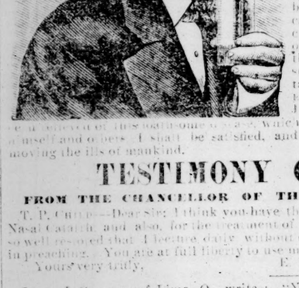
This part of my treatment I regard as very important, especially in warding off colds (which is full half the battle); and in relieving the head and lungs while under their effects. The Balm is composed of several kinds of gums, balsams, firs, and essential oils, which are separately used by the best physicians in treating throat, bronchial and lung diseases. These I have combined, and concentrated their virtues, which, by the inhaling process, are drawn through the various passages of the head and respiratory organs, reaching and healing every irritated spot. It used when cold first makes it appearance—which usually begins by an irritation of the nerves, giving the sneeze, which is nature's emphatic warning—it will, most invariably, check it; and by producing a quicker circulation, and by throwing the blood to the surface, the bad effects of a cold are warded off. It is pleasant to use and almost instant in its effects.

AMONG WOMEN catarrh is very common. The decrees of fashion compel women to go from the dry atmosphere of furnace-heated houses, into the open air, with the head but poorly protected. Many suffer keenly from bronchitis and difficulties of the throat and lungs.

TEACHERS IN OUR SCHOOLS are greatly subject to this fearful maladv. Confinement in close, ill-ventilated school rooms; the over heated atmosphere, charged with the sickening poison exuding from the bodies of the not always over clean children, breed this disease with fearful rapidity.

LAWYERS IN THE COURT-ROOM and judges on the bench, from the same general cause are too often afflicted in the same way.

MINISTERS OF THE GOSPEL, after leaving the pulpit, over-heated with the strain of their mental and physical efforts, neglect sufficient precaution, and a cold is the result. This neglected opens the way to catarrh, and to a possible loss of voice. I have suffered so keenly myself that I cannot urge upon public speakers too strongly the necessity of removing this disease when a cure is possible.



MY EXPERIENCE.

EIGHTEEN YEARS of terrible headache disgusting nasal discharges, dryness of the throat, acute bronchitis, coughing, soreness of the lungs, raising bloody mucus, and every night sweats, incapacitating me for my professional duties, and bringing me to the verge of the grave—ALL were caused by, and the results of Nasal Catarrh. After spending hundreds of dollars, and obtaining no relief, I compounded my CATARRH SPECIFIC AND COLD AIR INHALING BALM, and wrought upon myself a wonderful cure. Now I can speak for hours with no difficulty, and can breathe freely in any atmosphere. At the calls of numerous friends, I have given my cure to the public, and have now thousands of patients in all parts of the country, and thousands of happy fellow beings whose sufferings I have relieved. My cure is certain, thorough and perfect, and is indorsed by EVERY PHYSICIAN who has examined it. I can relieve my fellow-beings as I have relieved myself, and others. I shall be satisfied, and feel that I have done my little second in removing the ills of mankind.

T. P. CHILDS.

TESTIMONY OF OTHERS.

FROM THE CHANCELLOR OF THE UNIVERSITY OF NEBRASKA.

T. P. CHILDS:—Dear Sir: I think you have the true theory and practice for the cure of Nasal Catarrh and also, for the treatment of the respiratory organs. My throat is now entirely relieved of the catarrh. I hear as clearly without difficulty, and find no difficulty whatever in preaching. You are at full liberty to use my name for the benefit of others.

Yours very truly, E. B. FAIRFIELD, D.D., LL.D., Lincoln, Neb.

JUDGE I. COLLETT of Lima, O., writes: "You will remember how terribly Catarrh had taken hold upon me at the time you were at my house, making me offensive to myself and to all around, and for that suffering day and night. I began to use your excellent remedy about the 20th of August. Now I am cured: head free, air passages all open and breathing natural. I express to you again what I said to you at my house—and thanks to you for so sure a remedy, and your discovery." I have laid away the instrument having no further occasion to use it. Thus in about six weeks I have accomplished what you thought could be gained in from three to six months." (Write to him.)

MR. T. GUTHRIE, of Woodworth, Kenosha Co., Wis., writes: "I must say that I never had a medicine to take hold of my Catarrh by the root, and root it out, as this has."

MR. THOMAS J. DAILY, of Homer, Champaign Co., Ill., one of the worst cases I ever had under treatment, who was six months bed fast, and nearly blind, one eye utterly destroyed by Catarrh, nose and face much disfigured, and throat and lungs in a critical state, writes June 23, 1875:

"Dear Mr. Childs: I have used your Catarrh treatment, that my brother, B. O. Daily, of your place, kindly sent me, now over three months, and almost all this time in hopelessness, as it seemed I must die. By and by it began to take effect, and I began to have hope. I improved rapidly, soon could sit up, passages of the head began to open, throat and bronchial tubes grew better, cough ceased, and now I can see to write. I now expect to get well and go about my business again. I owe you a great debt of gratitude. Indeed, I owe my life to your treatment.

"Very truly your friend, THOMAS J. DAILY."

MR. D. is now (Sept. 10) in Troy, looking quite well; almost every vestige of Catarrh has disappeared.

A WONDERFUL CHANGE.

MR. W. S. SANDEL, of Willis, Montgomery Co., Texas, writes:

REV. T. P. CHILDS—Dear Sir: In 1873 I was attacked with catarrh, slight at first, but it gradually grew worse and worse. In the spring of 1877 the disease assumed a new form: my mouth and throat were attacked, ulcers were formed, and soon the ulva was often deplorable, but apparently hopeless. Large quantities of very offensive matter were discharged from the nostrils and throat; and for days together I could take no food but spoon victuals. I knew of no remedy, and the doctors could give me no relief or advice. My sufferings were intense, and distraction of mind was added to my physical sufferings. At this juncture a friend called my attention to your advertisement. I lost no time in procuring your Specific. I received it the latter part of July, and commenced using it immediately, and began to improve right along. My throat healed rapidly, and the change in my appearance for the better was so marked that I was often greeted with, "Why! what a change!" "How much better you look!" When I think of what I suffered, and the many sleepless nights of agony spent, I am truly glad there is a remedy for this horrible disease. I shall recommend it to all suffering with Catarrh. I will cheerfully answer any letters that may be addressed to me asking information.

Most sincerely your friend, W. S. SANDEL.

The following names have been selected from thousands in my possession. If desired, any of them can be consulted by letter or otherwise:

W. I. Wilson, Troy, Pike Co., Ala.
Rev. W. L. Tillinghurst, Bloomer, Wis.
T. G. Grant, Greenville, Ala.
A. J. Cowles, Beloit, Rock Co., Wis.
Wm. T. Gaylord, Ft. Ellen, Mont. Co., N. Y.
Mrs. O. W. Lake, McZena, Ashland Co., O.
Amanda Fisher, Freeport, Stephenson Co., Ill.
J. M. Little, Brady, Huntingdon Co., Pa.
Rev. J. L. Pettigrew, Raymond, Hinds Co., Miss.
Samuel T. Gr. Bigelow, 10 LaGrange St., Worcester, Mass.
Rev. P. W. Free, Water, Erie Co., Pa.
Rev. T. Gilpin, Spec, Woodworth, Wis.
Alonzo Bennett, Jackson, Jackson Co., Mich.
Miss Flora Webber, Urbana, Champaign Co., Ill.
Rev. J. Lentz, Kanawha C. H., W. Va.
Rev. W. R. Lathrop, Harrsville, Ind.
Mrs. J. A. Humphrey, Franklin, Pa.
Calvin Teegarden, Griffinsville, Iowa.
James White, Elk Co., Kan.
J. J. Hancock, Irvfaville, Irwin Co., Ga.
Isaac Hill, Kirkville, Wapello Co., Iowa.
J. Z. Barnett, St. Francisville, Clark Co., Mo.
Mrs. A. T. Stewart, Stuarts, Ind.
W. S. Sandel, Willis, Mont. Co., Texas.
J. Morton, Collinsville, DeKalb Co., Ala.
Rev. A. J. Gains, Waterford, Miss.
T. E. Rose, Mattoon, Coles Co., Ill.
Rev. J. W. Terrell, Roanoke, Howard Co., Mo.
Mrs. J. A. Thornton, Michigan City, Ind.
Chas. B. Day, Peoria, Peoria Co., Ill.
F. M. Mitchell, Pittston, Me.
J. Grim, Hoopeston, Vermillion Co., Ill.
G. W. Dalbey, Shelbyville, Tenn.

WHAT THE EDITORS KNOW OF T. P. CHILDS

Catarrh, in its worst and most offensive form, compelled Mr. Childs to give up his charge, after years of public speaking, and constant use of voice, always strong. After trying all at medicines could do for him, he finally, in despair, attempted his own cure, and, having conquered his at edge of medicine, succeeded, beyond hope, and relieved his own sufferings, enabling him to resume Public speaking without difficulty.

Mr. Childs was besieged by others similar afflicted, until the good man was compelled to go into the manufacture of his medicine, by the number and frequency of these calls.—Correspondence Journal and Messenger, Cincinnati.

The publishers of the Congregationalist, with multitudes of other people, are somewhat suspicious of patent medicines, as a rule, and when we received the advertisement of Mr. Childs we at first declined its insertion; but on making inquiry, we received such satisfactory replies, and one especially from a well known Congregational pastor not far from Rev. Mr. Childs's, the proprietor of the medicine, that we withdrew our objections.—Congregationalist, Boston.

While not supposing that all cases of catarrh will be cured by the prescription advertised, the publishers of the Illustrated Christian Weekly, after diligent inquiry, have reasons to believe that it has in many cases proved effectual. We do not ordinarily inserl medical advertisements.—Illustrated Christian Weekly.

The medicine Mr. Childs contrives to place, by the use of his inhalers, just where it is needed must be most powerful and searching in its character to produce such surprising results. Many of our leading lawyers, divines, and prominent business men have tried this remedy with wonderful success. There is no doubt of the efficacy of this method. We know Mr. Childs as an honest, Christian man.—Gazette, Cincinnati.

Mr. Childs gives a very strong description of this most annoying and loathsome disease. A number of testimonials from well known publishers and others throughout the country seems to indicate that his peculiar manner of treatment is worthy of investigation by those thus afflicted. The physician who is able to relieve suffering humanity—of such painful ills is most assuredly entitled to the thanks and patronage of the world at large.—Andrews' Bazar, Cincinnati.

CONCLUSION.

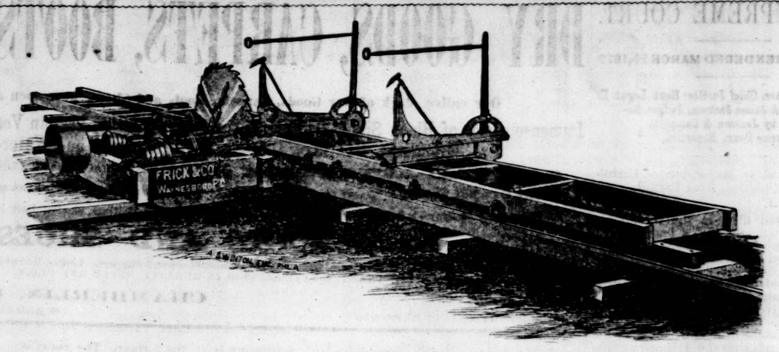
It is now a well-established fact that Childs's Catarrh Specific, for thoroughness, completeness and efficiency, has no equal in the world. Everything known to be good for Nasal Catarrh in all its horrid forms, in the head, throat and bronchial tubes, arranged into one complete system of treatment. Two kinds of inhalants and two fine inhalers go with each full course of medicine.

Do not trifle with some cheap thing, which at best can afford but temporary relief, while the roots of the vile disease are left to strike deeper and deeper. Be in earnest and thorough or do nothing! Write at once and say what paper you saw this in. Circulars, price-lists, and all necessary information can be had by addressing (with return stamp),

REV. T. P. CHILDS, Troy, Ohio.

74 mar5 d1aw1w wed &weow2w wmar11&25 next read ma

PORTABLE ENGINES, SAW MILLS, ETC.



The Eclipse Portable Engine and Frick & Co.'s Circular Saw Mills

Guaranteed the Best on the American Continent.

THOMAS CAMP, Covington, Ga., General Agent for Georgia.

314 jan19 d6m mar26 w6m

GUANO, ACID PHOPHATE, SEEDS, ETC.

"L. & R."

GUANO AND ACID PHOSPHATE.

MARK W. JOHNSON & CO., ATLANTA, GEORGIA,

GENERAL AGENTS FOR THE ABOVE BRANDS OF POPULAR FERTILIZERS. AGENTS WANTED in all North Georgia towns. Garden, Field and Flower Seeds. Plant Grasses, Red Clover, etc., in March. SEND FOR CIRCULARS AND PRICE LISTS.

jan28 d1f and wkly1t feb4 11 18 25

WORM OIL.

SMITH'S WORM OIL!

ATHENS, GA., December 8, 1878.

A few nights since I gave my son one dose of the Worm oil, and the next day he passed sixteen large worms. At the same time I gave one to my little girl, four years old, and she passed eighty-six worms from four to fifteen inches long.

W. E. PHILLIPS.

WORM OIL for sale by druggists generally. Prepared by Dr. E. S. LYON, Augusta, Georgia. Price, 25 cents. 77 mw3 dbat wed sun

FOOD FOR INFANTS, ETC.

RIDGE'S FOOD FOR INFANTS AND INVALIDS

Has received the most unqualified testimony from Physicians throughout Montreal as a perfect infant character and especially in this and other countries.

The Extraordinary Success

that this food has attained in this country (the sales of which aggregate as much as all other food combined) is due to its intrinsic merit, combining as it does all the elements essential to growth and vigor either in infancy or childhood. It has been demonstrated that multitudes of infants have been slowly starving at a period of infancy when development and growth are so remarkable, and solely because of inability of mothers to furnish the necessary nutriment on account of overtaxing the nervous system, and no food of equal location thus lowering the standard of vitality.

RIDGE'S FOOD FOR INFANTS AND INVALIDS

Is now manufactured in this country, and has been in use over 20 years, and is the only infant food that has ever received a medal at any World's Fair. Wholesale Agents, WOOLRICH & CO., Gateway Block, Atlanta, Ga. 1m sun wed fri & w3m

FULTON COUNTY SHERIFF'S SALES FOR MARCH.

Will be sold before the Court house door, in the city of Atlanta, Fulton county, Georgia, on the first Tuesday in April, 1879, within the legal hours of sale, the following property, to wit:

All that tract or parcel of land lying and being on Collins street and Forest avenue, in the city of Atlanta, and being part of land lot No. 50 in the 14th district of originally Henry now Fulton county, Ga., fronting 250 feet on said Collins street and 175 on Forest avenue, containing one acre more or less; also, all that tract or parcel of land lying and being on Forest avenue in the city of Atlanta and known in the plan of said city as lot No. 24, being part of land lot No. 50 in the 14th district of originally Henry now Fulton county, Ga., containing one acre more or less; also, all that tract or parcel of land lying and being on Forest avenue in the city of Atlanta and known as the property of Samuel Hape by virtue of and to satisfy a fi. fa. issued from the City Court of Atlanta in favor of Owen C. S. Terhune vs. Samuel Hape.

Also, at the same time and place, a city lot in the 1st ward, of the city of Atlanta, on an alley between Foundry and Mangum streets, and between Davis street and Haynes street, adjoining the property of Mrs. Lou Dorman on the east, fronting an alley on west fifty feet, more or less, part of land lot No. 84, containing one-fifth of an acre, more or less, said city lot formerly owned by D. P. Kendrick; levied on as the property of L. M. Spencer, by virtue of and to satisfy a fi. fa. issued from the justice court of the 1209th district, G. M., in favor of Fuller & Doolittle vs. L. M. Spencer. Levy made by J. R. Thompson and lanilet to me.

Also, at the same time and place, part of land lot number eighty-five (85) in the fourteenth district of originally Henry, now Fulton county, fronting on Whitehall street ninety (90) feet and running back on the west side of said street at right angles one hundred and thirteen (113) feet, bounded north by Hill and south by Brammuller. Said lot is also known as city lot number 209, containing three-eighths (3/8) of an acre, more or less; also, that tract or parcel of land lying and being situate in the city of Atlanta fronting the Macon and Western railroad and adjoining city number 209 as above described on the north and known as city lot number 311, containing three-eighths (3/8) of an acre, more or less; levied on as the property of Louisa G. Ladd, by virtue of and to satisfy a fi. fa. issued from Fulton superior court in favor of Northwestern Mutual Life Insurance Co. vs. Louisa G. Ladd.

Also, at the same time and place all that tract or parcel of land lying and being in the city of Atlanta, situate on Newton street, and running along the line of said street seventy-five feet and back the same width one hundred and ten feet upon which there is a four-room house as the property of C. S. Solomon by virtue of, and to satisfy a fi. fa. issued from Fulton Superior Court in favor of Wm. R. Brown vs. C. S. Solomon. Levy made by former sheriff.

Also, at the same time and place, one house and lot on the southeast corner of Crew and Fair streets, in the second ward of Atlanta, adjoining the property of Law and Wilkinson, and lot No. 76, originally Henry now Fulton county, Ga., containing half acre, more or less; levied on as the property of W. P. Pattillo, by virtue of and to satisfy a fi. fa. issued from Fulton Superior Court in favor of Mary Stanton vs. Atlanta insurance company and W. P. Pattillo.

Also, at the same time and place, a city lot in the city of Atlanta, Fulton county, Ga., situated on Houston and Ellis streets, adjoining the property of N. J. Hammond, containing five eighths of an acre more or less, in the 14th district of originally Henry now Fulton county, Ga., and known as lot No. 51, in the 14th district of originally Henry now Fulton county, Ga., and known as the property of Thomas A. Johnson in that tract of land in Fulton county, and being the same being part of land lot No. 77, and known as the American hotel property, situated on the corner of Alabama and Pryor streets, in the city of Atlanta, fronting seventy-five feet more or less on Alabama street and running back one hundred and twenty-five feet (125) more or less to Negny's alley, said lot being the same conveyed the whole of said property levied on as the property of Thomas A. Johnson by virtue of and to satisfy a fi. fa issued from City Court of Atlanta in favor of A. B. Meriam vs. Thomas A. Johnson, garnishee, and Mrs. M. J. Johnson, claimant.

Also, at the same time and place, lot No. 2 of block No. 28 in land lot No. 78 in the 14th district of originally Henry now Fulton county, and some being the south-east fourth of said block, containing one acre, more or less. Levied on as the property of John Ennis, by virtue of and to satisfy a fi. fa. issued from Fulton superior court in favor of Johnson Bros. & Co. vs. John Ennis.

Also, at the same time and place, one double-seated sundown, one elliptic spring buggy and one cross-spanned buggy, the property of A. R. Finney, by virtue of and to satisfy a fi. fa. issued from Fulton Superior Court, in favor of Fay Mayer & Co. vs. Andrew T. Finney.

2 mar3 law4w W. A. WILKINS, Sheriff.

Green House Plants & Flowers.

ANY ONE WISHING TO BUY BEDDING Plants of all kinds, will do well to call on me, or address me by mail, as I have no agents and no one connected with me in any way in any of my business. ALFRED LAMBERT.

Dealer in Fruit Trees, Green House Plants, Shrubberies, Cut Flowers, Bouquets and Floral designs. Sole Proprietor of CENTRAL NURSERY, E. Ellis street, near Cemetery, Atlanta. 12m1 mar4s d1m

FLORIDA.

ST. JAMES HOTEL, JACKSONVILLE.

11TH SEASON. THIS FAVORITE HOUSE is open for the winter. Passenger Elevator, Gas and other conveniences usual in Northern hotels. Special arrangement for rooms by the week or season. Address by mail or telegraph

346 de3f 1lf J. R. CAMPBELL, Manager

LAW CARDS.

THOS. E. WATSON, ATTORNEY AT LAW, THOMSON, GEORGIA.

Will practice in the counties of McDuffie, Columbia, Warren, Jefferson and Lincoln. Collection of Claims a Specialty.

309 jan19 d3m

B. S. IRVIN, ATTORNEY & COUNSELOR AT LAW, WASHINGTON, GEORGIA.

Will practice in Wilkes and other counties of the Northern Circuit and in the Supreme Court of Georgia. Collections faithfully attended to.

259 dec14,1878—d1y

McWHORTER BROS., ATTORNEYS & COUNSELORS AT LAW, GREENESBORO', GEORGIA.

Branch Office—Lexington, Georgia.

JOHN A. McWHORTER. | HAMILTON McWHORTER.

170 aug10,1878 d12m

R. J. MOSES, ATTORNEY AT LAW, ATLANTA, GA.

Office: 5 Austell's Building.

424 nov22,1878 d1y

LOCHRANE & VAN EPPS, ATTORNEYS AT LAW, ATLANTA, GEORGIA.

Office in Austell Building.

Will practice in all the Courts, State and Federal, at Atlanta and elsewhere by appointment.

O. A. LOCHRANE. HOWARD VAN EPPS.

198 nov10, 1878 d1y

S. G. McLENDON, ATTORNEY AT LAW, THOMASVILLE, GEORGIA.

Collections promptly attended to. Office corner Broad and Jackson streets, opposite Mitchell House.

188 oct8,'78 d6m

WM. A. HAYGOOD, STUDENT AT LAW, At office of N. J. Hammond, 54½ Whitehall street, ATLANTA, GEORGIA. Will give prompt attention to COLLECTIONS.

466 sep22 d6m

HOTELS.

OWENS HOUSE, WHITEHALL STREET, ATLANTA.....GEORGIA.

By MRS. JAMES E. OWENS, FORMERLY OF THE MARKHAM HOUSE.

In opening the above House Mrs. Owens extends a cordial invitation to her many friends as well as the general public, and hopes to share at least a fair proportion of public patronage, with the assurance that every accommodation will be afforded and every comfort furnished that can be found in any first-class house.

415 mar25 d1f

OCOEE HOUSE, F. LAYNE, Proprietor, CLEVELAND, TENNESSEE.

This Hotel is situated on the Public Square in the business center of the city, and has been recently refitted and furnished, and is kept in first-class style. Baggage transferred to and from Depot FREE OF CHARGE. Sample room free to Commercial Travelers.

304 jan21 d3m JAMES LAYNE, Clerk.

WHEELER HOUSE, GRIFFIN, G

COTTON AND WEATHER.

COTTON, middling uplands, closed in Liverpool yesterday at 5 11-16d; in New York at 10¼c; in Atlanta at 9½c.

The Signal Service Bureau report indicates for to-day, in Georgia, warmer, clear or partly cloudy weather, and light variable winds.

Daily Weather Report.

OBSERVER'S OFFICE, SIGNAL CORPS, U. S. A., KIMBALL HOUSE, March 25, 10:31 P. M.

[All observations taken at the same moment of actual time.]

NAME OF STATION.	Barometer.	Thermometer.	Humidity.	WIND. Direction.	WIND. Force.	Rainfall.	Weather
Atlanta	30.19	58	31	N. W.	Fresh	.00	Clear.
Augusta	30.14	59	68	.....	Calm	.00	Hazy.
Corsicana	29.94	71	71	.....	Fresh	.00	Clear.
Galveston	30.06	68	95	S. E.	Fresh	.00	Clear.
Indianola	30.05	70	90	S. E.	Brisk	.00	Clear.
Key West	30.12	74	75	N.	Fresh	.00	Clear.
Mobile	30.15	61	88	S.	Fresh	.00	Clear.
Montgomery	30.15	59	64	S.	Light	.00	Clear.
New Orleans	30.13	64	68	S. E.	Gent	.00	Clear.
Savannah	30.16	60	71	S. E.	Gent	1.00	Clear.

100 per cent. being complete saturation.

NOTE.—FORCE OF WIND: Light, 1 to 2 miles per hour, inclusive; Gentle, 3 to 5, inclusive; Fresh, 6 to 14, inclusive; Brisk, 15 to 29, inclusive; High, 30 to 39, inclusive.

Local Weather Report.

ATLANTA, GA., March 25, 1879.

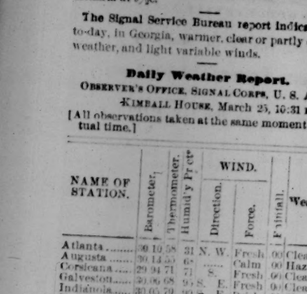
Time.	Barometer.	Thermometer.	Humidity.	WIND. Direction.	WIND. Force.	Rainfall.	WEATHER.
7 a. m.	30.18	50	41	N. W.	Fresh	.00	Clear.
11:31	30.15	60	18	N. W.	Fresh	.00	Clear.
2 p. m.	30.08	73	22	N. W.	Fresh	.00	Clear.
4:06	30.06	67	23	N. W.	Fresh	.00	Clear.
9 p. m.	30.10	59	57	S. W.	Gent	.00	Clear.
10:34	30.10	58	53	N. W.	Fresh	.00	Clear.

Mean daily bar..... 30.117 | Maximum ther..... 65
Mean daily ther..... 67.75 | Minimum ther..... 48
Mean daily humid. 51.66 | Total rainfall..... .00

H. HALE,
Corporal Signal Corps, U. S. A.

PREFERRED LOCALS.

James Ormond's Paper Mills,
Office 42 Broad Street,
ATLANTA, GEORGIA.
For specimen of News see DAILY and WEEKLY CONSTITUTION. 376 feb20 dtf



CRAIGE & CO., Wholesale Southern Agents
43 Whitehall street, ATLANTA, GA.
308 mar25,'79 d1y

French, German, Japanese, plain and decorated China, Earthen, Glass and Plated Ware, Lamps, Cutlery, not to be excelled in prices, quality or quantity, at
HENRY SELTZER'S.
'55 sep5,1878-d1y

Alex. Fox, Optician,
39 Whitehall Street.
109 mar7 d1m

TO-DAY'S ADVERTISEMENTS.

[See Second Page.]

Dissolution—Weber & Bruce.
5,000 Havana Cigars at auction—Hall & Morris.

The Constitution.
ATLANTA, GA., MARCH 26 '879.

SIDEWALK NOTES.

—"O Leary" and "weary" rhyme.

—A comet is to be seen next month.

—When a man hasn't a red he gets blue.

—Texas is an unhealthy clime for actors.

—Picnic season will soon be upon us.

—Oglethorpe park will be quite a resort for picnic parties this year.

—Almost time to pawn overcoats and overshoes.

—Atlanta hotels are feeding their guests on green peas.

—A stranger remarked yesterday, in a reflective tone of voice, "Atlanta is getting to be a great city."

—Two prisoners escaped from the United States court-room a few days since while the court was in session.

—There are interesting religious services held daily at First Methodist church at 9 o'clock a. m. and 8 p. m.

—The Holmans have canceled their engagement, hence we will have no more Fanafore this season, unless we can get Bartley Campbell's company to come back.

—Major Morgan's Florida excursion promises to be the most attractive affair of the kind that ever left Atlanta. At this season Florida is in full bloom and presents a variety of attractions truly delightful. He offers the round trip at rates which almost any one can reach, and those who go will be fortunate. See his card.

Clayton High School.

A short time since the Clayton high school building in Jonesboro, Ga., was destroyed by fire. The building was insured for $1,000 but it will cost $2,500 to rebuild it. Under the new constitution the town of Jonesboro cannot aid this flourishing school to rebuild, and the friends of the school have to solicit subscriptions for the purpose. During the war Jonesboro suffered more than any of our surrounding towns. Private buildings were all destroyed, and it is very hard on the people to have to respond so soon again. They have contributed liberally, but those who are raising the fund still need more money to complete the building. They have appointed Colonel J. J. Spence, Captain J. A. Anderson, Mr. J. J. Haines, and Captain W. E. Cannon a committee to visit Atlanta and solicit aid from our business and professional men. We are interested in Jonesboro. They will visit the city to-day for that purpose, and we hope they will meet with success.

Fine Likenesses.

Atlanta and the country surrounding has just cause to be proud of the artists who are succeeding in making such beautiful and at the same time such perfect pictures of our citizens. Recently, Mr. J. E. Barrett has come to our city, and it is a pleasure to call at his rooms and examine the various crayon portraits he has taken. Up to this time he has completed forty-one of these pictures in Atlanta—there is not a failure, all are perfect likenesses. On yesterday we examined the last one taken by him, and it is of our late fellow-citizen, Mr. H. H. Jones. The likeness is a most capital one, and one that is highly satisfactory to the friends of the deceased.

We should not close this notice without referring also to his portrait of Judge Sara Hawkins, of Summerville; which reflects great credit on the artist.

—King Alfonso of spain, according to a London telegram, has been betrothed to Princess Marie Amelie d'Orleans, daughter of the Count of Paris, and consequently niece of his recently deceased wife. The report is one to be taken with a grain of salt. The young princess is but fourteen years old. She is the daughter of the eldest son and granddaughter of the French King Louis Philippe. The family of the Count of Paris has always resided in England, at Twickenham, and Alonso XII. has not had an opportunity of seeing the girl he is said to be betrothed to. She is utterly unknown in Spain, is neither rich nor pretty, and cannot secure any important political alliance for Don Alfonso. But as the Duke of Montpensier has no daughter, and the Duke of Montpensier is working in favor of a granddaughter, and it is possible that in two or three years time he may succeed in placing her on the throne he was once so anxious to capture for himself.

—Ex-Senator McDonald, of Arkansas, represents his state as in a poor condition. "I took a fortune there," he says, "and have lost most of it. I bought plantations which were thought to be dirt cheap at $30,000 and have offered them at $10,000 apiece since and had no takers. They can't sell their land until people with means are willing to accept the society, and that I don't believe northern people will ever do in any numbers until there is more general intelligence."

THE SUPREME COURT.

DECISIONS RENDERED MARCH 25, 1879

Hon. Hiram Warner, Chief Justice: Hons. Logan E. Bleckley and James Jackson, Judges. Reported by Jackson & Lumpkin, Supreme Court Reporters.

McElfresh et. al. vs. Mayor, etc., of Carrollton. Injunction, from Carroll.

WARNER, C. J.

This was a bill filed by the complaints against the defendants with a prayer for an injunction on the allegations contained therein. Upon the hearing of the motion for the injunction prayed for, the chancellor, after considering the same, the defendants answer and the several affidavits filed by the respective parties, refused to grant it. Whereupon the complainants excepted. There was no abuse of the discretion of the chancellor in refusing the injunction, the evidence in the record was not only conflicting as to the existence of the alley as claimed by the defendant, but the preponderance of the evidence was in its favor. Let the judgment of the court below be affirmed.

Oscar Reese; Jackson & Lumpkin, for plaintiffs in error.
W. W. & G. W. Merrell, by brief, for defendant.

Bleckley, J., having been of counsel, did not preside in this case.

Gray, adm'r, vs. Angier, trustee. Assumpsit, from Bartow.

WARNER, C. J.

The plaintiff brought suit against the defendant's intestate on a certain instrument in writing therein described and set forth; and on the trial thereof, the jury found a verdict in favor of the plaintiff for the sum of $8,230.50 principal, and the sum of $6,583.44 interest. A motion was made for a new trial on the grounds therein stated, which was overruled, and the defendant excepted. The only ground of error insisted on here was that the verdict for interest was too large, in view of the evidence in regard to the alleged tender of the money by the defendant to the plaintiff, and that the court erred in its charge to the jury in relation to that point in the case. The evidence in the record is that two tenders of the money in payment of the debt were made to Solomon, who was then the owner of it, by Field, one of the defendants, who then owed the money, and that Solomon declined to receive it, the witness stating that I used the money tendered Solomon for in other ways when Solomon refused to accept it." The tender relied on to stop the interest should have been a continuing tender; that is to say that the money tendered was and always has been ready for the plaintiff, and not as in this case used by the defendant for his own benefit. Chitty on Contracts marginal page 697; 10th Geo. Rep. 127; 50th, ib. 614; 54th, ib. 398. There was no error in the charge of the court in relation to this point in the case.

Let the judgment of the court below be affirmed.

A. Johnson; Stansell & Wofford, for plaintiff in error.
T. Warren Akin, for defendant.

Lewis vs. Lewis et al. Equity, from Murray.

WARNER, C. J.

This was a bill filed by the complainants against the defendant on the equity side of the court, and on the trial thereof, by consent, was submitted to the decision of the chancellor without the intervention of a jury upon the following statement of facts:

Walker Lewis, the testator, made his will in 1834; on the 9th of May, 1860 he died. The following is a copy of the second item of his will:

"I will and bequeath unto the children of Theophilus Lewis one-eighth part of my whole estate, both real and personal, * * * to have and to hold the same to their own use forever.

"Nevertheless, I direct that there be made use of out of the above named estate bequeathed to my son's, Theophilus Lewis, children a reasonable support for the family while Theophilus and his wife are living. Also that their children be educated with a common English education. And I also direct that the land in Forsyth county, whereon the family now live, to which I hold a deed from Kellogg, constitute a part of said children's one-eighth part of my estate, and I further direct that my grandson, James Walker Lewis if in life, and if dead, then any of his brothers of lawful age or be authorized to secure said one-eight part of my estate * * * and to receipt my executor for the same."

At the death of testator, Walker Lewis, in 1860, Theophilus Lewis and his then wife, Rebecca, had living the children, (one James Walker Lewis having died in testator's lifetime) three of these children survived Theophilus Lewis, and two died before him, both leaving issue still living. Rebecca, the first wife of Theophilus Lewis, died in January, 1862, and in the March following her death, Theophilus married the second time, taking for wife the mother of complainants, and they are the issue of this last marriage. The plaintiff in error received from the executor a fund about the year 1875, and defendants in error claim an equal proportion in the fund with the children of the first marriage.

The chancellor decided that the children of Theophilus by the second marriage were entitled to participate in the distribution of the fund with the children by his first marriage, and this decision is assigned as error.

It is a cardinal rule in the construction of wills to seek diligently for the intention of the testator, and give effect to the same as far as it may be consistent with the rules of law. It was the manifest intention of the testator that the children of his son Theophilus and his then living wife should be the objects of his bounty, and he provided for a reasonable support for the family while Theophilus and his wife were living, meaning the family and wife Theophilus then had, inasmuch as he had no other wife or family of children, either at the date of the will or at the death of the testator, when the will took effect. At the death of the testator the legacy vested in the children of Theophilus then living, subject to the charge created thereon by the terms of the will. In view of the facts contained in the record, the judgment of the chancellor was error. The overruling the defendant's demurrer to the complainant's bill, filed at the first term of the court, did not operate as a bar of defendant's rights, as they excepted pendente lite, and their exceptions are made a part of the record and error was duly signed thereon here.

Let the judgement of the court below be reversed.

W. K. Moore, by brief, for plaintiff in error.
Johnson & McCamy, for defendants.

Daniel vs. Frost. Claim, from Heard.

BLECKLEY, J.

1. Permissive possession of land without the payment of rent, having been enjoyed by a son-in-law for about twenty years and, in the meantime, the father-in-law having made his will and devised the premises to the son-in-law absolutely, clogging the devise with no condition, burden or duty whatsoever; and the father-in-law, after the same possession and holding it for a few months, having died without changing his will, the will, after probate, should be regarded as confirmatory of the implied or presumptive gift indicated by the long-continued possession free of rent.

2. A creditor of the devisee, upon a contract made before the testator resumed possession, having attached the land some two years after probate of the will, the defendant in attachment could not defeat the devisee, (the plaintiff in attachment) could not defeat the levy by a disclaimer of the devise, made by deed executed after the levy took place; nor could the executors defeat it by setting up their non-assent to the devise, there being, on the facts in evidence, no justification for withholding their assent, the land not being required for the payment of the testator's debts, or the expenses of administration.

3. Though to the ordinary issue in a claim case, to-wit: that the property is subject, the plaintiff superadded a specification of particular facts, such as that the property was devised, and that the executors, without good reason, withheld their assent, the evidence was not necessarily to be restricted to the particular facts alleged, but it might take as wide a range as if the ordinary issue had stood by itself.

4. General reputation of title is not admissible.

5. Slight errors in admitting or rejecting evidence, or immaterial errors in charging the jury, are not cause for a new trial, the verdict being in accordance with the law and the great controlling elements of fact.

6. With or without the suggestion of counsel, the court may recall the jury while they are in the act of retiring, and correct or explain any part of the charge which the court apprehends may not have been delivered with due accuracy or clearness to convey the meaning intended.

7. That the sheriff, whilst the jury were on a walk, after being charged with the case, spoke to one of them in the presence and hearing of the others, respecting the health of a member of the sheriff's family, is not cause for setting aside the verdict.

8. That the sheriff selected and summoned the tales jurors necessary to complete the panel, he being plaintiff in a like case pending in the court against the same defendant and the same claimant, involving the same property, should have been urged as an objection to the talesmen before the trial was begun. It comes too late after verdict.

9. In a claim case a verdict finding the property subject, need not specify why it is subject, whether there be one issue only or several issues.

10. Newly discovered evidence which could not change the result is of no consequence.

Judgment affirmed.

L. R. Ray; W. H. Daniel; B. H. Bigham; L. H. Featherston, for plaintiff in error.
T. H. Whitaker; A. H. Cox, for defendant.

Arnold vs. Arnold. Injunction, from Fulton.

BLECKLEY, J.

1. A court of ordinary to which application is made for a grant of administration is the proper tribunal to determine the question of its own jurisdiction. If the decedent died testate instead of intestate, or, being a nonresident of the state, he left no assets within the county where the application is pending, the presumption is, that jurisdiction will be declined, and that no administration will be granted. A court of equity, therefore, will not, on either of these grounds or on both of them, restrain the applicant from bringing on for a hearing in the court of ordinary a caveat which has been filed to his application, though the complainants in the bill have, since that proceeding was commenced, propounded for probate, in another county where there are assets, an alleged last will and testament disposing of the decedent's whole estate, in which paper they are named as legatees.

2. Where a non-resident intestate left assets in two counties of this state, administration can be granted in either, and the ordinary first commencing the exercise of jurisdiction will retain it. So the will of a non-resident may be proved here in any county in which there are assets. Debts by simple contract are bona notabilia in the county where the debtors reside. Shares in the capital stock of a railroad corporation are bona notabilia in the county where the stock-books are kept, transfers made and dividends paid.

3. Under the statute of Arkansas, which inhibits the exclusion of a child by will unless the child is mentioned therein by name, a general mention of children as a class, without stating the number of them, is not the mention of any of them by name; nor the equivalent thereof. But this infirmity of the will is no ground for denying probate.

4. A paper, signed, sealed and delivered, and attested by two witnesses, in which the maker declares that, by reason of his love and affection for certain of his children (naming them), he has this day transferred to them in their own right 152 shares of stock in a certain railroad corporation, and 42 shares in another (describing particularly the certificates by which the shares are held); and that said stock is fully and completely transferred to said children; and that it is his intention that the shares shall be divided among them, seven equal parts to be made, and the oldest son to draw and be entitled to two of the parts, which two parts are hereby set apart to him, and the remaining five parts to be equally drawn for part and parcel alike, by the other five children; but reserving to himself the right and privilege of drawing the dividend on all of said shares during his natural life, and to use and control the same, but immediately on his death this transfer is to take effect, and the transfer and delivery so intended to be perfected and completed; and constituting and appointing, for the purpose of carrying out this transfer in good faith, and that the same may be done according to his intentions and desires, his friend (naming him) his attorney in fact in transfer said shares of stock to said children on the books of the companies, to all intents and purposes as fully and legally as if done by himself in person; and declaring his desire and hope that this matter may be completely and fully effected as above set forth, by his said attorney in fact, and to do all other things to put said children in possession of said shares, is testamentary in its character, and was without operation in the lifetime of the maker. For this reason, no injunction is necessary to restrain the party called attorney in fact from prosecuting a mandamus to enforce it as a deed.

Judgment reversed as to the injunction granted, and affirmed as to the injunction refused.

Davis & Brewster; John S. Bigby; Hopkins & Glenn, for plaintiff in error.
McCay & Trippe; Candler & Thomson, for defendant.

Moore vs. The State. Seduction, from Walker.

BLECKLEY, J.

1. It is of the essence of a demand for trial under §4608 of the code, that it should be entered on the minutes of the court at the term when made, so that the prosecuting officer may know from the record that a trial must be had then or at the next term. If leave to enter be refused, the remedy is by writ of error (28 Ga. 64; 15 Ga. 285); and by procuring an order at the succeeding term to enter the demand nunc pro tunc. Entries nunc pro tunc are made for the purpose of supplying or perfecting a record of what the court did or assented to, not for the purpose of reversing its action in respect to what it refused to do or assent to. 19 Ga. 586.

2. One indicted for a misdemeanor moved, at the term at which the indictment was found, to enter a demand for trial on the minutes. The motion was not granted, why does not appear. At the succeeding term an order was passed and entered upon the minutes, reciting the motion of the previous term and the fact that it was not granted and giving leave to enter the demand nunc pro tunc, and declaring that unless the prisoner were tried during that term, he should be acquitted and discharged. At both terms there were juries empaneled and qualified. At the third term, the prisoner moved for an order of discharge, which was refused. As it does not appear that there were any jury at the third term, the refusal was not erroneous.

Judgment affirmed.

J. C. C. Clements, by brief, for plaintiff in error.
C. T. Clements, solicitor-general, for the state.

Todd vs. Fambro. Complaint, from Whitfield.

BLECKLEY, J.

1. On the question of what deduction, if any, should be made from the agreed purchase money of land, by reason of loss of the tract being cleared than was represented to be by the vendor, the value of the land in its actual state (uncleared) as compared with what its value would be if it was cleared, is pertinent evidence.

2. What custom or patronage a mill had at some indeterminate time after a sale (the nearness or remoteness of the time not being shown) may be rejected when offered as evidence to prove that the custom when the sale took place was less than it was represented to be. Misrepresentation as to the custom of a mill being pleaded as ground for rescision, and without the averment of any damages therefrom, that misrepresentation is not in the case on the question of partial failure of consideration. And for such misrepresentation to be good cause for rescision, the mill must have been a main inducement to the purchase of the premises.

3. In negotiating for the purchase of land, if the buyer tells the seller that he has looked at the premises and is satisfied with them, and, if, nevertheless, he intends not to rely upon his own judgment, but to depend on the seller's representations as to the number of acres cleared, he must make this known at the time, or before concluding the contract. If he fails to do so, what the seller says as to the number of acres cleared will be immaterial, whether regarded as matter of fact or matter of opinion, but more especially if the jury believe it to be matter of opinion only.

4. When the defendant by his pleadings urges two sorts of relief, one a deduction from his debt by reason of a partial failure of consideration, and the other a rescision of the contract, a request to charge that jury that they, if proved, will entitle him to which enumerates certain facts, and adds relief, without specifying what relief, is too general if the facts referred to go to a partial failure of consideration, and not to the right to rescind. Guided by so broad a charge, the jury might understand it as applying to the latter defense, its terms not restricting it to the former. The court is not obliged to heed a request which is loose or uncertain.

Judgment affirmed.

Herndon & Humphries; Johnson & McCamy, for plaintiff in error.
W. K. Moore, by brief, for defendant.

Askew, executor, vs. Carswell, executor. Motion, from Burke.

BLECKLEY, J.

One creditor of the common debtor has no right to be made a party to another creditor's suit, or to intervene in it at any stage of its progress, the suit being an ordinary action at law for the recovery of a debt.

Judgment affirmed.

Corker & Palmer, by brief, for plaintiff in error.
No appearance for defendant.

Town of Douglassville vs. Johns. Assumpsit, from Douglass.

JACKSON, J.

1. A town, whose charter embraces section 789 of the code, has authority to issue license to retail spirituous liquors and to tax therefor.

2. If one who has paid such tax seeks to recover it back, it is for him to show that the ordinance imposing the license fee or tax under the authority of the charter was illegally passed. Having paid the money and seeking to recover it, the onus is on the plaintiff; the presumption is that the ordinance follows the charter, and if it does not, the plaintiff must show it.

3. It matters not that the act of 1872, so far as it affects pre-existing charters and amends them, be unconstitutional, as decided in 60 Georgia, 404. If its provisions codified from section 774 to 797 inclusive, be by charter granted in 1875, incorporated therein, they become part of the charter so granted at that time and are as valid as any other portion thereof.

Judgment reversed.

R. H. Brewster; Edge & Richards, for plaintiff in error.
J. S. James; Robert A. Massey, for defendant.

Ronald Johnston and M. R. Johnston vs. Henry W. Jackson. Slander, from Bartow.

JACKSON, J.

The sole question in this case is whether or not the presiding judge abused his discretion in refusing to grant a new trial, the verdict being for defendant, and the point at issue being whether the defendant spoke the slanderous words charged, which he denied and testified that he did not utter. There was evidence on both sides of that issue, the jury found that the words were not spoken; the judge overruled the motion for a new trial upon the ground that the jury had so found upon conflicting testimony, and we cannot say that he thereby abused that discretion with which the law invests him.

Judgment affirmed.

Stansell & Wofford, for plaintiffs in error.
A. Johnson; Johnson & McCamy, for defendant.

Shorter & Wright vs. Nagle, et al. Equity, from Floyd.

JACKSON, J.

This case is controlled by the principle of the decision of this court in the case of Wright, et al., vs. Nagle, et al., between the same parties, reported in 48th Ga. R., 318, and in 58 Ga. R., 606.

Judgment affirmed.

E. N. Broyles; A. R. Wright, for plaintiffs in error.
No appearance for defendants.

Jackson, J., being related to the parties litigant, Hon. John W. H. Underwood, judge of the superior court of the Rome circuit, was designated by the governor to preside in his place.

Emily B. Cason et. al. vs. John M. Walton, adm'r, et. al. Equity, from Richmond.

UNDERWOOD, J.

1. A court and jury, upon the trial of a divorce case have not the province to dispose of property that does not belong to the husband or wife, or which property in remainder is vested in a child or children of the parties to the marriage.

2. The court and jury trying and deciding the case under our law could only dispose of such property as was owned by the husband or the wife at the time of the application for divorce or at the time of the separation of the parties.

3. When a feme covert has a life estate only in property with remainder at her death to her children, a court and jury cannot make provision for the wife or child or children out of the estate in remainder. But could dispose of the estate for life for such purposes.

4. The record and proceedings in a suit for divorce between husband and wife is not proper evidence in a case wherein the children sue as remainder men as against them. Such record could be used in evidence to conclude the wife as to any interest in the estate of her late husband or her own that estate existing at the time of the application for divorce or separation.

Judgment reversed.

Frank H. Miller, for plaintiffs in error.
Barnes & Cumming, for defendants.

Supreme Court of Georgia.

ATLANTA, GA., March 25, 1879.

Augusta Circuit	9	Brunswick Circuit	13
Middle Circuit	6	Eastern Circuit	20
Ocmulgee Circuit	12	Atlanta Circuit	30

AUGUSTA CIRCUIT.

No. 4. Argument concluded.
No. 5. Gardenliere vs. The State. Arson, from Burke. Argued. Corker & Palmer; Davenport Jackson, by brief, for plaintiff in error. Salem Dutcher, solicitor-general, by Z. D. Harrison, for the state.
No. 5. Dismissed.
No. 6. Commissioners of Thomson vs. Norris. Complaint, from McDuffie. H. Clay Foster; Henry C. Roney; Paul C. Hudson, for plaintiffs in error. W. M. & M. P. Reese; W. D. Tutt, contra.

Pending the argument of Mr. Foster, the court adjourned until 10 o'clock a. m. to-morrow.

United States District and Circuit Courts.

HON. JOHN ERSKINE, JUDGE, PRESIDING.

DISTRICT COURT.

The United States district court met at 10 o'clock yesterday morning, Hon. John Erskine on the bench, and transacted the following business:

United States vs. Ab. Kenney, charged with illicit distilling, etc. Nol. prossed. Defendant's death suggested.

CIRCUIT COURT.

The United States circuit court met at the usual hour yesterday and the following business was transacted:

United States vs. Wm. D. Aaron, charged with removing distilled spirits unlawfully. Tried and found guilty. Notice was given by defendat's counsel of their intention to move for a new trial.

These courts will meet at the usual hour this morning.

On our Most Distant Frontiers.

As in our busiest and most populous cities and on the seaboard and interior, Hostetter's Stomach Bitters is pre-eminently popular. Wherever civilization plants its foot on this continent, thither the great tonic soon finds its way. Nor is this surprising, for it is the medicine of all others best adapted to the wants of the Western emigrant, be he miner or agriculturist. It is an incomparable remedy for the diseases to which he is most subject, and which are liable to be brought on by a change of climate, hardship, exposure, unaccustomed air and diet, and miasmatic atmosphere and water. Among these are disorders of the stomach and bowels, rheumatic ailments, and malarious fevers, for all of which Hostetter's Bitters is a certain specific. A course of the Bitters before departing for the new field of labor, or on arriving, will have the effect of preventing the evils for which it is such a signal remedy.

mar26 d3t wed fri sun&wkyapr1

To One and All.—Are you suffering

from a Cough, Cold, Asthma, Bronchitis, or any of the various pulmonary troubles that so often end in Consumption? If so, use "Wilbor's Pure Cod-Liver Oil and Lime," a safe and sure remedy. This is no quack preparation, but is regularly prescribed by the medical faculty. Manufactured only by A. B. WILBOR, Chemist, Boston. Sold by all druggists.

202 mar21 d1w fri sun wed &w1t

FOREIGN FLASHES.

The Queen's Visit—Among the Lords—Telegraph Matters.

LONDON, March 25.—The Times' Paris dispatch says at a meeting of 2,000 spinners and weavers at Roven, it was decided to send a deputation to Paris to represent to the government the destitution of the working classes in consequence of a reduction of wages, and in some cases a complete stoppage of work.

The Times' Berlin correspondent telegraphs that the subterranean telegraph in Germany is attaining vast dimensions. The reichstag on Monday voted 1,839,000 marks for further extension.

The Times' Berlin correspondent says great satisfaction is everywhere expressed at the cordial reception of General Chansey, the new French minister to Russia, by official circles when he was passing through Berlin en route to St. Petersburg.

The British government has accepted the tender of the Eastern Telegraph company for the laying of a submarine cable to south Africa. The route is by the way of Aden, Zanzibar, Mozambique, Dealgoa Bay and Natal. It will connect with the whole of the eastern system of telegraphy, extending to India, China and Australia.

A special dispatch to the Standard from Pesth says: An affluent of Karos river has burst the dyke and inundated a large territory. Devavanya, with 1,200 inhabitants, is threatened with ruin. Titel will scarcely escape a terrible disaster. The water is breaking over the dykes. The soldiers and laborers, at work strengthening them, are exhausted.

Queen Victoria left to-day for the continent, embarking in the royal yacht Victoria and Albert. Her majesty proceeds to Cherbourg.

The Times' Paris dispatch says: "The pure and extreme left senators, at their meetings on Monday, unanimously favored the return of the chambers to Paris. The left centre, by a vote of 38 to 5, took an opposite view on the ground of uneasiness which would be excited in the country. In the house of lords to-night the Marquis of Lansdowne will move the following resolution: That this house, while willing to support here majesty's government in all necessary measures for defending the possessions of her majesty in south Africa, regrets that an ultimatum calculated to produce immediate war should have been presented to the Zulu king without authority from the responsible advisors of the crown, and that offensive war should have been commenced without an inperative necessity or adequate preparation, and the house regrets that after the censure passed upon the high commissioner by her majesty's government, in the despatch of the 19th of March, the conduct of affairs in south Africa should be retained in his hand.

The motion was rejected by a vote of 155 to 67.

LAHORE, March 25.—General Tytler, yesterday, defeated 3,000 of the enemy near Peshbolak. The enemy lost 200 men. The British loss was trifling. The Bengal lancers made a brilliant charge.

Special dispatch to The Constitution.

LONDON, March 26.—Lord Lansdowne, on introducing his motion of censure in the house of lords last night, dwelt upon the annexation of the Transvaal as the original cause of the trouble with the Zulus. Lord Cranbrook, secretary of state for India, concurred in the expression of regret that the ultimatum to the Zulu king, which precipitated the war, was presented without authority from the government, and said that the annexation of the Transvaal was far from precipitating a war to which the natives had been incited by their successes over the Dutch, which had undoubtedly postponed it. If the ultimatum had been submitted to the government it might have been modified. The government would not be bound by its exact terms in any future relations with Cetewayo. The recall of Sir Bartle Frere would be a punishment and degradation for one fault of an eminent man who had brought the south African colonies into complete and unprecedented harmony with the home government and with each other.

Lord Stanley, of Alderley, Lord Kimberley and the Duke of Somerset attacked Sir Bartle Frere and advised his recall. The Earl of Cadogan spoke in support of the government.

Lord Salisbury said he did not think Sir Bartle Frere would forget the interests of the country by resigning his duties to inexperienced hands during the present crisis.

Lord Beaconsfield stated that Sir Bartle Frere had been placed in the office principally to carry out a policy of confederation such as had been successful in Canada, and which was more opposed to annexation, the tendency to which Lord Beaconsfield emphatically repudiated than any other policy. In retaining him the government was actuated solely by a desire to promote the public welfare.

Lord Granville supported the motion, and Lord Carnavon defended Sir Bartle Frere. The house then divided, and Lord Lansdowne's motion on censure was defeated.

There is not a single boat at Devavanya, and great loss of life is certain if the flood increases.

A Vienna dispatch to the Daily News says that the renewed floods in Hungary have covered 12,000 acres of land which had already been sown, and the lives of 12,000 people are endangered.

A Reuter's Constantinople correspondent says a Turkish man-of-war has been ordered to Greece, and several others are to be ordered to be in readiness to follow.

The Times' Paris dispatch says the Bonapartist senators have resolved, by a vote of twenty-six to three, to oppose the removal of the chambers to Paris.

The Daily Telegraph's Vienna correspondent says intelligence has been received from Janina that Mukhtar Pasha has quitted Previsa. Turkey will take the necessary measures for the defense of Epirus and Thessaly. Mukhtar Pasha has asked for 9,000 men and 100 cannon for the fortification of various frontier towns. The report is regarded as sensational.

—Lynn's murder mystery is finally cleared up. It is now positively known that the body found in the trunk was that of a poor servant girl named Jennie P. Clark, the mother attended the funeral the other day and fully recognized it as that of her unfortunate daughter.

The Cannon House.

Now being conducted by Mrs. M. J. Brown, offers unequaled inducements to parties desiring board or to those contemplating making a change, being located within one block of the Post-office and three of the car shed. No house is near so central and none set as good a table for the money as the old reliable Cannon. Special arrangements made with parties visiting the city desiring a hotel life with all the comforts of a home. Day boarders taken at $3.50 per week. As for our table we refer with pleasure to our boarders.

000 mar26 d2t wed sun 4th col

FREIGHTS, BREAKAGE, HARD STOCK AVOIDED,
By buying CROCKERY, GLASS-WARE, Lamps, Show Cases, Woodenware, from McBRIDE & CO. Merchants who want to pay cash and get bottom prices can get the worth of their money at McBRIDE'S.
547 nov28 d1y lo'l

KRANICH & BACH, C. L. GORHAM, RAVEN & CO., PIANOS. WILCOX & WHITE ORGANS, unrivaled in the world. Special inducements offered by F. L. FREYER, General Southern Agent, 28 Whitehall Street.
226 feb9 d1t 4th col

Buy Carmichael's Liver Pills.
For sale by Hunt, Rankin & Lamar.
236 feb12 d3m

DRY GOODS, CARPETS, BOOTS AND SHOES.

Our entire stock of Dry Goods, Carpets, Boots and Shoes, now open and ready for inspection.

Immense stock of Black Silks, Colored Silks. Summer Silks, Persian Vestings, Brocade and Water-Stripe Grenadine, Buntings, Debages. Mohairs, Satin and Water-Stripe Silk, etc.

SPECIAL ATTENTION called to our line of BLACK TAPPESEIRS SILKS. Finest Silk fabric yet made.

HOSIERY—Most beautiful stock ever exhibited in Atlanta. Table Linen, Towels, Victoria Lawns, Linen deLudie, French Mull, India Mull, in large quantities. Cheapest Handkerchiefs in the market.

Carpets and House Furnishing Goods—Our entire line of Carpets, Mattings, Shades, Lace Curtains, will be in this week. Arriving daily.

BOOTS AND SHOES.

Everything new in Gents', Ladies', Misses' and Children's Boots, Shoes and Slippers. Largest line ever offered in any Boot and Shoe Store. Call and examine our entire stock. WE GUARANTEE SATISFACTION IN QUALITY, STYLE AND PRICE.

163 mar9 d1m top 3d 4th 5th col 4thp

CHAMBERLIN, BOYNTON & CO.,
66 AND 68 WHITEHALL STREET, ATLANTA, GA.

SOLID GOLD.
Ladies' Opera & Guard Chains, Necklaces, Lockets, Charms, Sets, Rings, Buttons, etc. A large assortment of new and stylish goods just received at
J. P. STEVENS & CO.'S,
34 Whitehall Street.
350 jan19 d12m 4th pg

The Death-rate of

Our country is getting to be fearfully alarming, the average of life being lessened every year without any reasonable cause, death resulting generally from the most insignificant origin. At this season of the year especially, a cold is such a common thing that in the hurry of every day life we are apt to overlook the dangers attending it and often find too late, that a Fever or Lung trouble has already set in. Thousands lose their lives in this way every winter, while had Bo chee's German Syrup been taken, a cure would have resulted, and a large bill from a doctor been avoided. For all diseases of the Throat and Lungs Boschee's German Syrup has proven itself to be the greatest discovery of its kind in me dicine. Every Druggist in this country will tell you of its wonderful effect. Over 950,000 bottles sold last year without a single failure known. Sold by all Druggists.

378 june22...d&w1y eow&weow

Would an Irredeemable Currency

Be as good as gold? While there is a very large class of intelligent citizens who believe it would, we regard it our duty to all alike to say that as a cure for sores, cuts, bruises, jams and slashes, there is nothing like Carbolic Salve. Beware of counterfeits.

70 mar26 d&w1w

Roller Guns.

We have reduced the price of Godfrey's Roller Gum from 35c. to 20c. per lb. Send in your orders for Rollers, or for the Gum. Can supply either. CONSTITUTION,
mch2 d&wtf Atlanta, Ga.

—Cousens' Compound Honey of Tar has been so long and favorably known that it needs no encomium. For coughs, colds, sore throat, hoarseness, etc., it affords speedy relief, and is a most pleasant and efficacious remedy, honey and tar being two of its ingredients. The skill of the chemist, and the knowledge of a physician were united in its preparation, the result being a compound which is the favorite remedy in this severe climate, and has no equal as a cure for coughs, colds, hoarseness, bronchitis, croup, etc. Use Cousens' Honey of Tar. Price 50 cents. For sale by J. L. Pinson; at wholesale by Hurst, Rankin & Lamar
411 apr25 deowly&eowly

The Decisions.

The Decisions of the August Term, 1878, are now ready in pamphlet form. Price to subscribers per copy, One Dollar, postage part. Send in your orders.

mch4 d&wtf CONSTITUTION,
Atlanta, Ga.

The Mexican Dollar.

What is the difference between the Mexican dollar and Tabler's Buckeye Pile Ointment? One does what it promises and the other does'nt. The Mexican dollar says, "I am one hundred cents;" but when you come to invest it you find it is only eighty-five. Tabler's Buckeye Pile Ointment says, "I will cure you of Piles;" and upon trial it is found to do so in every case. It makes but one promise—to cure Piles; and does so without failure. Price 50 cents a bottle. For sale by J. L. Pinson; at wholesale by Hunt, Rankin & Lamar.
411 apr25 deowly&eowly

Dr. Hall's Rock Candy Cough Syrup is delightful to take and certain to cure. Price, 50 cents a bottle. For sale by Pemberton, Samuels & Reynolds, and Hallman & Candler, Druggists.
073 tuwthf

The Saviour of the Little Ones.

There would not be so many little graves in cemeteries and churchyards, if parents used the means within their reach to save the s